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Michigan Statehood: 1835, 1836, or 1837

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THE DATE ON WHICH MICHIGAN BECAME A STATE is still open to question. Although the precise chronological sequence of events in the transition from territorial to statehood status may seem inconsequential, except insofar as it might furnish the correct time for inscriptions on seals or for the celebration of anniversaries, in the last analysis it is of more than academic importance. Although Michigan's first state constitution was framed, ratified, and in a small degree put into operation in 1835, the state itself was not admitted into the Union by Congress until late in January, 1837. Ever since then opinion has varied as to when the state government actually did begin its legal existence.

There are many ramifications to the constitutional and legal problem, some of which involve significant questions of constitutional law. For instance, did the Northwest Ordinance of 1787, and the succeeding fundamental laws enacted under it, guarantee to the various governmental units projected within the Northwest Territory the right to establish a state government, whenever the minimum population of sixty thousand had been attained therein, without the passage of an act by Congress authorizing the formation of a state constitution? Can there be any legitimate basis for one portion of a territorial government to sever itself wholly by its own actions from another portion of the same territory? Once a state constitution has been framed and ratified, can it legally be put into effect before Congress has given final approval? Can a state government exist at all prior to the admission of the state by Congress into the Union? Can two governments, territorial and state, possess sovereignty over the same area concurrently? Can a state government automatically

supersede that of a territory before the United States has withdrawn its territorial officers and courts? Does admission as a state ratify retroactively all actions which have been previously taken on the pretense of setting up and executing a state constitution? Can a state government operate legitimately if its own state courts are not exercising active jurisdiction over its own area? These and other questions must be answered not merely in accordance with their present-day constitutional implications, but with particular reference to the thoughts and actions of contemporary leaders.

At the outset it should be noted that the Michigan legislature has officially recognized November 2, 1835, as the date on which Michigan attained statehood. Various writers in the past have pointed out¹ that the state supreme court, in a decision rendered in 1843, had ruled that the people of Michigan Territory possessed the right to formulate a state constitution and to put a state government into effect without Congressional permission,² but no official action was taken by the state until agitation arose over the question of when Michigan should celebrate its centennial anniversary.³ After the attorney general, to whom the question had been referred, reported that Michigan had become a state on November 2, 1835,⁴ the legislature in 1931 adopted a concurrent resolution to that effect.⁵ With all due respect for the judgment of Michigan's legislative, executive,

¹See Edward Cahill, "Historical Lights from Judicial Decisions," in the *Michigan Historical Collections*, 38:128-29 (Lansing, 1912); William L. Jenks, "History of Michigan Constitutional Provisions Prohibiting a General Revision of the Laws," in the *Michigan Law Review*, 19:620 (Ann Arbor, 1921); James V. Campbell, *Outlines of the Political History of Michigan*, 478-79 (Detroit, 1876).

²Scott and Boland *vs.* Detroit Young Men's Society, 1 Douglass 119-53. This case will be discussed later in detail.

³The late Mr. Shelby B. Shurtz seems to have been the one who aroused interest in this matter. In a communication to the Michigan Historical Commission in 1929 he presented evidence which tended to prove that Michigan had become a state on November 2, 1835. Briefly, his argument was based on three facts: first, that the Great Seal of Michigan bears the date 1835; second, that the Supreme Court had decided in *Scott et al. vs. Detroit Young Men's Society* that the constitution of Michigan had gone into effect on that date; third, that Congress in the act which provided for admission of Michigan had recognized its previous existence as a state. See *Michigan History*, 13:343-47 (Spring, 1929).

⁴*Biennial Report of the Attorney General of Michigan*, 1928-1930 (William M. Brucker, Attorney General), 440.

⁵*Journal of the Senate of the State of Michigan* (hereafter cited as *Senate Journal*), 1931, 49, 82, 738. See note in *Michigan History*, 15:695-96 (Autumn, 1931).

and judicial officers, the complicated series of events preceding the attainment of statehood affords ample reason for a review of the pertinent sources and sheds considerable doubt on the accuracy of the date now officially designated.

Certain facts are indisputable. The constitution which was framed by the delegate convention of 1835 provided for its submission to the electors for ratification or rejection in October, 1835.⁶ On the fifth and sixth days of that month the document was approved at the polls by a large majority, although the number of voters who actually cast ballots was surprisingly small.⁷ In the same election a governor, lieutenant governor, members of the legislature, and a representative in Congress were chosen as stipulated by the constitution.⁸ Earlier, the Democrats had nominated on August 20 Stevens T. Mason as their candidate for governor. Since 1834 Mason had been secretary and acting governor of Michigan Territory.⁹ A few days after his nomination, Mason was removed from his territorial office by President Andrew Jackson because of his belligerent stand on the boundary controversy with Ohio.¹⁰ The Whigs, who had been skeptical of the right to form a state government without congressional consent, made no gubernatorial nomination. Because of this lack of formal opposition as well as his rather general popularity, Mason easily won the election.¹¹

It must not be overlooked that the whole question of the admission of Michigan into the Union was closely connected with the dispute over the southern boundary with Ohio. This is not the place for an extended review of that controversy; suffice it to say that provisions of the Northwest Ordinance of 1787 and of the act organizing the territory of Michigan in 1805 had recognized a line which

⁶Constitution of 1835, Schedule, section 9.

⁷The total vote was: Yes—6,299; No—1,359. Branch county voted it down, 29-32, the only county in which more votes were cast against ratification than in favor of it. *Senate Journal*, 1835-36, Document Number 1.

⁸Constitution of 1835, Schedule, section 6.

⁹Lawton T. Hemans, *Life and Times of Stevens Thomson Mason*, 166-68 (Lansing, 1920).

¹⁰Hemans, *Life of Mason*, 169. Charles Shaler was appointed secretary of the territory on August 29, 1835, but he declined to accept. On September 8 the position was conferred on John S. Horner of Virginia. Hemans, *Life of Mason*, 171-72.

¹¹Mason received 7,508 votes, while the most votes any other candidate received was 814. Hemans, *Life of Mason*, 176.

was further south than the one which had been set forth by the Ohio Constitution of 1803, that conflicting surveys and the northern boundary of Indiana had served to complicate the matter, and that both Ohio and Michigan had laid claim to a narrow strip of land which was valuable because it contained fertile agricultural areas and the location of the harbor site on Lake Erie at the mouth of the Maumee River. As soon as Michigan sought admission as a state with its contemplated area including the disputed strip on the south, Ohio immediately demanded that the boundary dispute should be settled before Michigan came into the Union, whereas the latter held to the view that she should first be admitted and that the United States Supreme Court should later decide which state was entitled to the land.

For two years prior to the formal admission of Michigan this boundary controversy was waged at a high pitch; words were spoken and written on both sides with vehemence, an attempt at mediation was made by the federal government, and in the mock Toledo War troops were called out by Michigan to defend her claim. With a presidential election approaching, it was not politically prudent for the administration in Washington to offend Ohio, as well as the states of Indiana and Illinois whose boundaries were also further north than those which had been stipulated by the Ordinance of 1787. Consequently, the policy of federal officials seems to have been one which distinctly favored Ohio, thereby retarding the admission of Michigan until long after it had become eligible.¹²

When the newly elected members of the Michigan legislature convened at Detroit in November, 1835, for their first session according to constitutional mandate,¹³ the possibility of a conflict of authority between it and the legislative branch of the territory had been removed. On March 30, 1835, the territorial legislative council had

¹²A good account of the boundary controversy and the factors which caused it is in Hemans, *Life of Mason*, 106-200. See also Anna M. Soule, "The Southern and Western Boundaries of Michigan," in the *Publications of the Michigan Political Science Association*, 2:4-53 (Ann Arbor, 1896); and Arthur M. Schlesinger, "Basis of the Ohio-Michigan Boundary Dispute," in the *Ohio Michigan Boundary* (Ohio Cooperative Topographic Survey, *Final Report*), 1:59-70.

¹³*Journal of the House of Representatives of the State of Michigan* (hereafter cited as *House Journal*), 1835-1836, 1; also see the Constitution of 1835, Schedule, section 7.

adopted an act which, contingent on the formation and ratification of a state constitution, in effect provided for the transfer of the council to that part of Michigan Territory west of Lake Michigan which was not included within the contemplated boundaries of the new state.¹⁴ In accordance with this act, Governor Mason had apportioned in August the members of the council among the counties in this western part and an election for members had been held in that area in October, resulting in the so-called Rump-Council which met later at Green Bay during the first two weeks of January, 1837, but which failed to enact any laws because the territorial governor was not present.¹⁵ Since this act conflicted in several respects with United States laws concerning the election of legislative council members and a delegate to Congress, it was of doubtful legality, yet the fact remains that for all practical purposes the legislative department of the territory was inoperative east of Lake Michigan. Left with no opposition, the state legislature seemed to be in an unique and commanding position.

In his inaugural address Governor Mason stressed Michigan's right to form a state government. Basing his claim on the Northwest Ordinance, he contended that the United States Congress could not by any "legitimate proceedings" return Michigan to a territorial status. He called the legislature's attention to the provisions of the Michigan Constitution which continued in force all territorial laws not repugnant to that constitution until they either expired or were altered, and which retained in office all territorial officials except the governor and lieutenant governor "until the legislature, giving due time for the legislation of Congress on the subject of our admission into the union, may deem it expedient to organize a State judiciary, and to authorize the election or appointment of other officers, under the constitution."¹⁶

Governor Mason further recommended that few enactments be

¹⁴*Laws of the Territory of Michigan* (1874), 3:1416-17.

¹⁵Mason's proclamation had also stipulated that the council should meet in Green Bay on January 1, 1836. The new territorial governor, John S. Horner, ordered that the council should assemble on December 1, 1835, instead of the first day of 1836, but the members of the council refused to obey Horner's proclamation. *Transactions of the Supreme Court of the Territory of Michigan, 1825-1836*, edited by William W. Blume, 1:xlii-xlii (Ann Arbor, 1940).

¹⁶*House Journal, 1835-1836*, 7-9.

made, a recommendation with which the legislature agreed and complied. The House committee on the judiciary reported that it was "inexpedient" to establish state courts at that time.¹⁷ Only seven acts, most of them fiscal in nature, were passed,¹⁸ and the two United States senators were elected,¹⁹ before the legislature adjourned on November 14 to meet again on February 1, 1836.²⁰ Moreover, Mason proceeded very cautiously in the exercise of the appointive power given to the governor by the constitution, his only nomination being for the office of secretary of state.²¹ It is evident that the wheels of the "state" government were turning at a very slow speed indeed, and that only a very few functions, and those minor ones, were being performed by those who, in a strict sense, were "state" officers.

As a matter of fact, the people of Michigan were by no means united in the belief that Michigan could declare itself a state and thus cast off the territorial government without congressional approval. The position of President Jackson had been made clear; he had instructed the newly appointed territorial secretary, John S. Horner, not to allow any interference with the territorial government, and he had emphatically denied the power of the people of Michigan to set up a government which could supersede or abrogate that of the territory.²² Furthermore, the President gave notice that until Michigan had been admitted as a state by Congress no other government in Michigan except that of the territory would be recognized.²³

¹⁷*House Journal*, 27. Two of the seven members of this committee, Charles W. Whipple and Alpheus Felch, later became justices of the supreme court.

¹⁸*Acts of the Legislature of the State of Michigan*, 1835-1836 (hereafter cited as *Michigan Acts*), 3-9. Various appropriations were made for salaries (including those of the legislators) and other expenditures, a fiscal agent of the legislature was established, and the governor was authorized to borrow up to \$100,000 on the credit of the state.

¹⁹Lucius Lyon and John Norvell were elected senators on November 10, 1835. *House Journal*, 1835-1836, 31-32; *Senate Journal*, 1835-1836, 36-37.

²⁰*House Journal*, 1835-1836; *Senate Journal*, 1835-1836, 60.

²¹Kintzing Pritchette was approved for this post by the senate on November 13. *Senate Executive Journal*, 1835-1837, 4.

²²These instructions were sent to Horner by a letter from Asbury Dickins, acting-secretary of state of the United States, dated October 8, 1835, which can be found in the Lucius Lyon Letters, in the Clements Library at the University of Michigan. Unless otherwise identified, references hereafter to the Lyon Letters are to this collection.

²³Dickins to Horner, October 8, 1835, in the Lyon Letters.

These views were well known in Michigan²⁴ and, strangely enough, were supported more by the Whigs than by the President's own party members. Secretary (and Acting Governor) Horner met with little success in his efforts to appease the designs or to stifle the actions of those people who were most avid in the prosecution of Michigan's southern boundary claims. Occasionally the opposition to Horner attained insulting and violent proportions, but such expressions of feeling arose more from his policy of supporting the boundary claims of Ohio than from the fact that he was the representative of a government which would not recognize Michigan's existence as a state.²⁵ The Whig press termed Michigan "a state not in being," and an "imaginary state" which had no existence, and suggested that the best way for Michigan to become a state legally was for Congress to authorize a convention to frame another constitution.²⁶ Even Governor Mason, who appeared publicly to have utter confidence in the propriety and legitimacy of Michigan's pretensions to statehood, seems to have acknowledged privately that Michigan actually was not a state in 1835. He wrote to senators-elect Lucius Lyon and John Norvell and to representative-elect Isaac E. Crary late in December of that year asking whether they thought the first of February, 1836, would be a good date on which to *organize* the state government, and he expressed his own opinion to them that "it is not practicable to delay the step, beyond that time [February 1, 1836], even though we may not be then admitted into the Union."²⁷ If the government of the state of Michigan was not even *organized* in 1835, for which we have the word of its own first governor (a leading protagonist for statehood), how can it be claimed that such state government was then in existence?

²⁴Dickins' letter to Horner noted above was published in the *State Journal* (Ann Arbor), February 11, 1836, and probably had appeared earlier in other newspapers.

²⁵For Horner's activities see Hemans, *Life of Mason*, 178-83, and Campbell, *Political History of Michigan*, 466-69. Resolutions adopted by the citizens of Lenawee County at Tecumseh and by citizens of Detroit, following speeches delivered by Horner on the boundary situation, illustrate the disapproval of his policies. See the *State Journal* (Ann Arbor), October 22, 1835, and Campbell, *Political History of Michigan*, 467-68.

²⁶*State Journal* (Ann Arbor), November 5, 1835. Two separate articles on this topic, one quoted from the *Journal and Advertiser* (Detroit), are in this issue.

²⁷S. T. Mason to L. Lyon, Detroit, December 24, 1835, in the Lyon Letters.

The important arguments of those contemporaries who believed that Michigan after November 2, 1835, was not a state either by right or in fact are worth summarizing and listing. They are as follows: (1) the legislative council of Michigan Territory had no power to authorize, without a congressional enabling act, the election of delegates to a state constitutional convention; (2) neither the legislative council nor a constitutional convention had power to decide that only part of Michigan Territory (that which was east of Lake Michigan) should become a state and that the rest should remain a territory; (3) the government of the territory of Michigan derived all of its legal sanction from the United States alone and could not be suspended or superseded without the assent of the United States government, which assent had not been given; (4) the executive and judicial officers of the territory were bound by oaths to execute the laws of the territory and must do so until released by the United States Congress; (5) there could not exist at the same time two distinct sets of executive and judicial officers who had supreme and equal authority over the same area; (6) the authority of the United States over the territory of Michigan was exclusive and could be suspended only by the consent of the United States or by open revolution of the people.²⁸

On the other side the statehood partisans based their reasoning fundamentally upon the Ordinance of 1787, which had provided for the formation of not less than three nor more than five states from the Northwest Territory, such states to be formed and to be admitted into the Union whenever a population of sixty thousand had been attained.²⁹ Since Michigan fulfilled the population requirements, the argument was that its people possessed the right to form and put into operation a state government and to be admitted forthwith as a full-fledged state.

This latter viewpoint failed to consider several factors which seem to detract greatly from the reliance placed on the Ordinance of 1787 for the authority claimed. In the first place, although it had been re-enacted by Congress after the United States Constitution had been

²⁸These are condensed mainly from the arguments cited by a writer in the *Journal and Advertiser* (Detroit) which are quoted in the *State Journal* (Ann Arbor) for November 12, 1835.

²⁹Ordinance of 1787, Article V.

adopted, there is great doubt that the ordinance was, as asserted, an "unalterable compact." Legally, its stature was only that of a law which could be altered or repealed by a later Congress. Secondly, the ordinance itself gave Congress the power to decide whether one or two states would be carved out of the area which "lies north of an east and west line drawn through the southerly bend or extreme of Lake Michigan,"³⁰ yet Congress had in nowise indicated the number of states it planned to erect and had not established any boundaries which could be employed for statehood purposes. Thirdly, the ordinance stipulated that any state constitution and government which was set up within the Northwest Territory must be "republican, and in conformity to the principles contained in these articles."³¹ This would seem to authorize Congress to review the constitution and government of a prospective state (situated within the Northwest Territory) not only before its admission into the Union, but also before such constitution and government could be put into operation; otherwise a state government might be formed and might go into effect which was not republican or which was not in conformity with the principles of the Northwest Ordinance (even though it could not be admitted to the Union), a procedure which apparently would violate both the letter and the spirit of the Ordinance. Lastly, those sections of the United States Constitution which empower Congress to admit new states and to make rules and regulations for the territory of the United States, and which guarantee to all states a republican form of government, should not be overlooked. Undoubtedly that document constitutes a higher authority than the Ordinance of 1787; from these sections a plausible, if not conclusive, case can be made against the existence of any prerogative vested in the people of Michigan Territory to cast off without congressional permission the government which had been established therein by the United States.

At any rate, it is not essential here to determine with finality whether or not the people were authorized by the Ordinance of 1787 to exercise the rights and powers claimed. The solution of the statehood controversy depends as much on the question of actuality as it does on that of authority. Even if it be assumed that the people of

³⁰Ordinance of 1787, Article V.

³¹Ordinance of 1787, Article V.

Michigan in 1835 did possess the right to set up a state government, which is very doubtful, there remains the criterion of whether a state government, *de facto* or otherwise, in reality was organized and put into operation before formal admission to the Union in 1837. If it were not, then all constitutional and theoretical arguments would appear to be rather futile and of no avail.

Early in 1836 a potentially dangerous situation arose which caused some concern among the advocates and supporters of the new state government. The terms of the incumbent territorial supreme court judges were scheduled to expire soon, one in January and two in April.³² Consequently, the intentions of the United States government in regard to filling these positions were of no little importance. It was not merely a question of whether the president would insist on making the appointments and thus maintain the jurisdiction of the territorial courts in Michigan. Of equal importance was the vital factor of personnel to be chosen for the judgeships. As one ardent supporter of the state government said, it was essential that "men should be selected, whose opinions coincide with ours regarding the validity of the course Michigan has pursued in forming a State Government."³³

There were many persons who would have liked to have had the question judicially determined. It was widely recognized that an unfavorable court decision would have been disastrous to the statehood cause. Moreover, it was clearly foreseen that quite likely the legitimacy of the state government would be tested in the courts,³⁴ so the Democratic leaders strove for the appointment of the "right" men. As early as January 15 Senator Lucius Lyon wrote that probably Judge George Morell would not be nominated because of his opposition to the establishment of a state government.³⁵

³²See *Michigan Historical Collections*, 3:122 (Lansing, 1881). Solomon Sibley's term expired in January and George Morell's and Ross Wilkins' terms in April.

³³Charles W. Whipple to Lucius Lyon, January 21, 1836, in the Lyon Letters. Lyon had written to Governor Mason ten days previously that he believed Michigan should try to prevent the appointment of judges, but, failing in that, it would be necessary to get those "persons appointed as we know are friendly to a state government." Washington, January 10, 1836. "Letters of Lucius Lyon," in the *Michigan Historical Collections*, 27:472 (Lansing, 1897).

³⁴See the letter by Daniel Goodwin to Lucius Lyon, Detroit, January 22, 1835, in the Lyon Letters.

³⁵Washington, Jan. 15, 1836. "Letters of Lucius Lyon," in the *Michigan Historical Collections*, 27:472-73. This letter also intimated that Epaphroditus

When it was learned that Judge Morell might be dropped from the supreme court and that Charles W. Whipple might be appointed to succeed him, much opposition to such a move was expressed to Michigan's senators.³⁶ Morell defended himself in a manner which could leave no doubt about his stand on the statehood question. Although he claimed to have always been in favor of the admission of Michigan as a state, he insisted that the procedure should comply with the United States Constitution and laws. If the acts of the Michigan legislature should come into conflict with territorial laws before Michigan had been admitted, Morell made it clear that he would support the latter:

... one jurisdiction or the other must be sustained by any Court—You cannot have two distinct Jurisdictions operating at the same time upon the same subject matter as either the Territorial Government or the State Govt. must be separately sustained and if you [Lyon] mean that I as a Judge would have enforced the Laws of the Territory instead of those of the State, until Congress had authorized me to do otherwise, you are right in your conjecture, for my oath of office would compel me to do it.³⁷

In spite of Morell's view and of Lyon's antagonism to him,³⁸ Judge Morell and the other two incumbents, Judges Solomon Sibley and

Ransom and Charles W. Whipple would be nominated in place of Judges Sibley and Morell. These facts were printed in the Detroit Whig papers and were denied by the *Free Press* on February 1 and again on February 3, 1836. Whipple had opposed the reappointment of both Morell and Sibley because of their unfriendliness to the state. Whipple to Lyon, Detroit, January 21, 1836, in the Lyon Letters.

³⁶See the letters of Sheldon McKnight (January 25 and February 22), Thomas C. Sheldon (January 26), Horace H. Comstock (January 26 and January 29), C. K. Green (January 29) and D. Goodwin (January 30), all to Lucius Lyon, in the Lyon Letters. Some of the writers were very indignant about the rumored non-reappointment of Morell, and several attacked the ability and character of Whipple. All praised Morell as a judge. Lyon later denied that he believed Whipple to be the best nominee available. Lyon to Horace H. Comstock, February 23, 1836, in the *Michigan Historical Collections*, 27:480.

³⁷G. Morell to L. Lyon, January 25, 1836, in the Lyon Letters. Morell was so upset and worried over the prospect of losing his judicial position that he left on January 30 for Washington. D. Goodwin to L. Lyon, January 30, 1836, in the Lyon Letters. Later, Justice J. V. Campbell stated that Morell favored the state in the question of whether Michigan was a territory or a state. 43 *Michigan Reports*, xix.

³⁸Lyon apparently favored the appointment of Epaphroditus Ransom as judge, on the grounds of his living in the western part of the state at Bronson (Kalamazoo) and also because of his qualifications. See Lyon's letters to Ransom, January 21 and February 7, to John Forsyth, Secretary of State, February 7, and to S. McKnight, February 9, in the "Letters of Lucius Lyon,"

Ross Wilkins, were renominated by President Jackson and confirmed by the Senate as members of the Territorial Supreme Court late in February, 1836.³⁹

It has been mentioned already that the state legislature in its 1835 session passed very few laws, that the territorial laws, officers, and courts continued to be in force and to function after the Michigan Constitution of 1835 was scheduled to go into "effect," and that the governor made only one appointment and admitted in writing that the state government was not effectively organized in 1835. Moreover, for several months in 1836 state powers were not extensively employed. For instance, a law purporting to abolish the offices of auditor general and treasurer of Michigan Territory and to transfer the books, papers, and funds in the custody of those offices to the state auditor general and state treasurer, was not enacted and approved until February 19, 1836.⁴⁰ Levi Cook of Detroit, then treasurer of the territory, was appointed on February 23 to the corresponding position in the state government.⁴¹ However, he not only declined the appointment⁴² but also refused to deliver the books, papers, and funds of the territory to the state when first requested to do so.⁴³

It does appear that Secretary of State Kintzing Pritchette, pursuant to one of the acts passed in November, 1835, negotiated a loan on February 1, 1836, in New York City on the credit of the state of Michigan, and that the funds so obtained were used to pay the salaries of the governor and the legislature.⁴⁴ But the acting governor of the territory, John S. Horner, remained in Michigan until

in the *Michigan Historical Collections*, 27:473-76. However, Ransom later informed Lyon that he regretted that any attempt had been made to bring about a change in the court. March 26, 1836, in the Lyon Letters. Vincent L. Bradford of Niles tried to get the appointment and solicited Lyon's support. January 12, 1836, in the Lyon Letters.

³⁹See the *Michigan Historical Collections*, 3:122; *Detroit Free Press*, March 10, 1836; *State Journal* (Ann Arbor), March 24, 1836. David Irwin was reappointed to be judge for the area west of Lake Michigan.

⁴⁰*Michigan Acts*, 1835-1836, 43-45.

⁴¹*Detroit Free Press*, February 24, 1836.

⁴²*Detroit Free Press*, March 3, 1836.

⁴³*Senate Journal*, 1835-1836, "Documents Accompanying the Senate Journal of 1835-1836," p. xxvii.

⁴⁴*Senate Journal*, 1835-1836, "Documents" numbers 11, 12, and 13. The *State Journal* (Ann Arbor), March 3, 1836, sarcastically commented that "the Legislature of the State of Michigan, have negotiated a loan on the credit of the State, for 36,000 dollars to pay their own dear selves."

May, 1836,⁴⁵ presumably still acting as the chief executive of the territorial government, although he probably had little influence or authority. The courts of the territory continued to function at least through June, 1836. In reality the only department of the state which operated on a scale indicating full sovereignty was the legislative branch. The last session of the territorial legislative council held in that part of the territory of Michigan which later became the state of Michigan had met in August, 1835,⁴⁶ the state legislature, however, convened once in 1835 and twice in 1836.

When the state legislature met on February 1, 1836, in its adjourned session, there was much uncertainty upon the correctness and advisability of completing the organization of the state government.⁴⁷ Many believed that restraint should be exercised and that the legislature should proceed slowly, especially in regard to the judicial department of the state, which they believed should be organized the last of all in order to prevent open conflict with the jurisdiction of the territory.⁴⁸ Governor Mason privately subscribed to such a policy,⁴⁹ but in his message to the legislature he asserted

⁴⁵Hemans, *Life of Mason*, 183.

⁴⁶*Journal of the Sixth Legislative Council of the Territory of Michigan* (Lansing, 1894), Special Session, 1835, 21-25.

⁴⁷For instance, one member of the legislature wrote: "I don't know what the devil we shall do in the Legislature. Mason is for high measures but durst not recommend them in his message. I go for adjournment instanter." Horace H. Comstock to L. Lyon, January 26, 1836, in the Lyon Letters. As late as February 17 another member reported that the legislature had done no business. "We are all at a loss what course to pursue," he said. Charles C. Hascall to L. Lyon, February 17, 1836, in the Lyon Letters.

⁴⁸Senator Lyon counseled Governor Mason to get everything ready for the state government but to leave the judicial branch unorganized until just before adjournment. He said: "It is very desirable to avoid the charge of being precipitate and rash, and as the territorial order of things, under a provision in our constitution, will prevail till the organization of the judiciary, we shall have it in our power to point to the forebearance we have exercised and the respect with which we have treated Congress in waiting for their action in delaying to put our State government in operation." January 10, 1836, "Letters of Lucius Lyon," in the *Michigan Historical Collections*, 27:472. C. W. Whipple stated that no act of the state legislature should conflict or interfere with the course of the United States, and that "to this end, it would be the dictate of sound policy not to give effect to a State Judiciary until the views of the President are understood." C. W. Whipple to L. Lyon, Detroit, January 21, 1836, in the Lyon Letters.

⁴⁹Mason replied to Lyon that he thought the legislature should complete the local laws first and leave the judiciary department "to the last moment." However, he emphasized that "there is no retreat for us; we are on the billows with our vessel of State, and it is easier to reach the point of destination than to get back to the place of departure." January 25, 1836, in the Lyon

Michigan's right to form and to put into operation a state government without the passage of an enabling act by Congress, and he urged that the organization of the state should be completed immediately, including the establishment of a court system.⁵⁰

A movement in the state senate to block the establishment of a state judiciary, led by John S. Barry, was defeated.⁵¹ However, five senators did join in a protest against the legislature passing any acts whatsoever until Congress had admitted Michigan to the Union.⁵² The reasons cited by these senators favoring postponement of further legislation merit a brief summary. First, because the Constitution of Michigan had been submitted to Congress, they argued that it would be impolitic and unwise to proceed until Congress had decided to accept or reject it. Secondly, they claimed that a majority of the learned jurists of the United States doubted, if not denied, the right of a would-be state to pass laws until it had been formally admitted to the Union. Thirdly, they believed that proper respect for the president of the United States and his cabinet demanded that no laws should be passed. Fourthly, if action were taken before Congress had made a decision, they asserted that Michigan could be charged with undue precipitancy which might jeopardize chances for recognition. Finally, since the president intended to maintain the authority of the United States, they feared that the passage of state laws would inevitably cause a collision between the state and territorial jurisdictions, with the result that state laws could be enforced only by violent means against the territorial government.⁵³

Replying to this protest, Lieutenant Governor Edward Mundy claimed at length that Michigan was already a state and that the legislature therefore had the right to enact statutes and should not adjourn.⁵⁴ Moreover, he had the foresight to predict accurately that

Letters. This is a further strong indication that Governor Mason did not believe that the state government had been fully organized by 1836.

⁵⁰*House Journal*, 1835-1836, 57-78.

⁵¹*Senate Journal*, 1835-1836, 128, 134.

⁵²*Senate Journal*, 1835-1836, "Documents," document number 8, February 21, 1836, xviii-xix.

⁵³*Senate Journal*, 1835-1836, "Documents." These were also printed in the *State Journal* (Ann Arbor), March 10, 1836, which quoted from the *Free Press*. The five senators who signed the protest were John S. Barry, John Clarke, John Stockton, Horace H. Comstock, and Edward D. Ellis.

⁵⁴Edward Mundy, as the presiding officer, addressed the senate in committee of the whole on February 18. His speech has been preserved in the news-

if the validity of the state laws were ever questioned in the state courts, it would be sustained.⁵⁵

Since the statehood faction predominated in the legislature, several laws were passed in February and March providing for the complete organization of the state government and for the methods of selection, the duties, and the salaries of its officers.⁵⁶ All those persons who were still holding office as the result of appointments under the territory of Michigan were declared to be removed from such offices and their official functions were to cease on certain dates—July 4, 1836, for the judicial officers,⁵⁷ and January 1, 1837, for most of the county officials—except that those incumbent county officers who refused to subscribe to the oath in the Michigan Constitution within fifteen days after July 4, 1836, were to be replaced.⁵⁸

Notwithstanding the fact that the legislature had finally taken steps to insure that the state government would commence operating fully in a few months, opposition to the movement was still prevalent. At a meeting of citizens of Jackson County, March 9, 1836, resolutions were adopted declaring that they could not recognize Michigan as a state, in or out of the Union, and that the people were bound to obey only the laws of the territory.⁵⁹ William Woodbridge, the leader and the most politically experienced member of the Whig party in Michigan, still continued to refute the legal

papers. See the *Detroit Free Press*, February 22 and 23, 1836, and the *Michigan Argus* (Ann Arbor), March 3, 1836. Sheldon McKnight reported to Senator Lyon that a struggle had been going on in the legislature for over a week on the question of adjournment, and that the "most calm and reasonable men were in favor of an adjournment until some definite action of Congress was had upon our matters, but the whole hog state folks, are for going ahead without waiting." February 22, 1836, in the Lyon Letters.

⁵⁵*Michigan Argus* (Ann Arbor), March 3, 1836.

⁵⁶See *Michigan Acts*, 1836, 14 *et seq.*

⁵⁷*Michigan Acts*, 1836, 21-23, 32. The supreme court justices, who were also circuit court justices, were to be appointed, and the justices of the peace were to be elected, on the first Monday in April.

⁵⁸*Michigan Acts*, 1836, 23.

⁵⁹The resolutions also charged that Michigan's elected representatives to Congress were attempting to bargain away the strip of land on the southern boundary in exchange for admittance to the Union. *State Journal* (Ann Arbor), March 24, 1836. This accusation was denied by Representative Crary, although he would not commit himself on the question of whether he would or would not resist the authority of the United States after a bill with such provisions had been passed by Congress. Isaac E. Crary to [?], Washington, March 27, 1836, copy in the Crary Letters, Michigan Historical Collections, in the University of Michigan.

existence of the state.⁶⁰ One source claimed that certain Whigs were candidates for office in the state elections at the same time they were denying the validity of the government!⁶¹

There was a movement from several quarters, manifested through proposals, petitions, and lobbying, for the passage of an act by Congress which would authorize the people of Michigan to hold a convention and draw up another constitution.⁶² Moreover, the new state laws in some instances came into active conflict with existing laws of the territory, resulting in considerable confusion and creating perplexing problems. For example, the effect of having two laws of different jurisdictions both pertaining to the same subject was described by one observer in April, 1836, as follows:

Some of our Towns held their election under the Territorial law and others under the State law in our Town they held the election under the State law our constables and other officers are threatened with prosecution by the Whigs if they proceede [sic] our people are somewhat allarmed [sic] and talk of calling another Township meeting.⁶³

On the same day a prominent attorney of Pontiac wrote a letter describing conditions in a similar vein:

... we are now in a fine state of confusion— our State and Territorial affairs are now in collision— some new towns we have lately organized

⁶⁰William Woodbridge to [?], Detroit, March 18, 1836, in the Woodbridge Papers, in the Burton Historical Collection, Detroit. After lamenting the deplorable and anomalous condition to which the government of Michigan had descended, Woodbridge expressed his feelings on the state government as follows: "That this new & surreptitious government, has any absolute and present legal validity, I have found no intelligent man, so bold as to pretend.— But by breaking up all vestiges of the late Territorial Gov't.;—by appealing to the mercenary feelings of men, in the way of acts of incorporation,—& the ostensible creation of multitudes of offices;— by worming its principles into, & through, all the political establishments of the country until the people became caught in the net; by false representations, & by their increasing importunities before Congress, our Dictators manifestly hope finally, to conquer all opposition."

⁶¹*Michigan Argus* (Ann Arbor), March 24, 1836.

⁶²See the Detroit Free Press, January 9, 1836; *State Journal* (Ann Arbor), January 14, 1836; and Austin E. Wing to L. Lyon, Monroe, April 12, 1836, in the Lyon Letters.

⁶³C. C. Hascall to L. Lyon, April 12, 1836, in the Lyon Letters. Further evidence of this confusion over the actual existence of statehood can be seen in two conflicting resolutions passed on February 23, 1836 by the trustees of the University of Michigan. One resolution directed the governor and judges of the territory of Michigan to sell certain lands granted by Congress, the other directed the senators and representatives of the state to locate the twenty-nine remaining sections of land given to the university. *Records of the University of Michigan, 1817-1837*, edited by F. E. Robbins, 167 (Ann Arbor, 1935).

will not organize— some persons elected will not take the oath— and new meetings are called.⁶⁴

As late as May 26 the Whig press was referring to Governor Mason as a "private person" and was asserting that the proceedings of the state government were "without shadow of authority."⁶⁵ However, when Acting Governor Horner was appointed secretary of the new Wisconsin Territory and moved there in May, the Democrats announced that the territorial government in Michigan had been "abrogated and abandoned."⁶⁶ It was by then quite obvious that neither the legislative nor the executive authorities of Michigan Territory were exercising any authority, but the territorial courts and judges were still strongly entrenched. To eliminate such an annoying threat to the soundness of their statehood claims, the Democrats evolved the following argument—ingenious but hardly logical or convincing:

Every supposed impediment to the complete organization and practical operation of our State Government is now happily removed. The Judicial officers, however, hold their stations under the General Government; but that department of the Territorial system now exists only by the suffrane of the State Government. Judicial power can never extend beyond the legislative authority of the same system of which they are branches; and as we have no Territorial Legislature, so we can have no Territorial Judiciary in Michigan, except so far as it may be continued in existence by the Government of the State.⁶⁷

That the territorial courts were existing only because permission to do so had been extended by the state does not appear to be true—in fact the state supreme court which later held that Michigan became a state in 1835 even went so far as to admit that the territorial judges possessed jurisdiction at least over cases which involved the United States until their offices were abolished by an act of Congress.⁶⁸

In addition to the southern boundary question the admission of Michigan was complicated by the issue of slavery—in order to retain

⁶⁴Origen D. Richardson to L. Lyon, Pontiac, April 12, 1836, in the Lyon Letters.

⁶⁵State Journal (Ann Arbor), May 26, 1836.

⁶⁶Free Press, May 21, 1836.

⁶⁷It is important to note that the article said "now happily removed," implying that until May, 1836, at least, the state government had *not* been completely organized. Free Press, May 21, 1836.

⁶⁸Scott and Boland vs. Detroit Young Men's Society's Lessee.

the balance between free states in the north and slave states in the south, Michigan was paired with Arkansas.⁶⁹ Bills for the admission of both states were pending in Congress for several months; after considerable heated discussion of the questions involved, they were passed on June 15, 1836.⁷⁰ Arkansas was admitted with no conditions attached, but Michigan's final entrance into the Union was not to occur under the act until a convention of elected delegates had ratified the new boundaries of Michigan which were stipulated by Congress. These would result in the loss of the southern strip of land in dispute with Ohio, but compensation would be provided by the acquisition of that large area north of Wisconsin which has come to be known as the Upper Peninsula.⁷¹

Summoned by Governor Mason, a special session of the legislature met on July 11⁷² and passed an act providing for the election of delegates to a convention which was to consider these new terms of admission.⁷³ The Whigs furnished most of the opposition to the proposal and were largely responsible for its defeat in the ensuing convention, but a peculiar shift in their argument is noticeable. They now claimed that Michigan was a state in the full sense of the word, having been recognized as such by the act of Congress; consequently, they contended that the United States could not demand that Michigan vote away part of its territory.⁷⁴ When the convention met in Ann Arbor on September 26, the congressional terms were rejected; instead, the delegates adopted a resolution of dissent which was dispatched to Washington.⁷⁵

⁶⁹Campbell, *Political History of Michigan* 470-72; Hemans, *Life of Mason*, 193.

⁷⁰Hemans, *Life of Mason*, 193-200.

⁷¹Hemans, *Life of Mason*, 199-200.

⁷²*State Journal* (Ann Arbor), June 23 and July 14, 1836; *House Journal*, 1836.

⁷³*Michigan Acts*, 1835-1836, 16-18.

⁷⁴The new Whig position was based mainly on the fact that the Congressional act of June 15 had referred to Michigan as a "State," but also emphasized were many of the claims made previously by the Democrats, such as that the territorial government had been abandoned, that the state legislature had passed state laws, etc. See the issues of the *State Journal* (Ann Arbor), for July and August of 1836, each of which has one or more articles or editorials on this subject. Also see the communication of William Woodbridge to [?], August 18, 1836, copy of letter in the Woodbridge Papers.

⁷⁵*Journal of the Proceedings of the Convention . . . Relative to Admission of Michigan into the Union . . . At Ann Arbor, 26 September 1836* (1836),

Having condemned the action taken by the convention, the Democratic leaders launched a second campaign to obtain the popular sanction necessary for final admission.⁷⁶ They were motivated by many things; the fact that the United States probably would distribute its surplus revenue among the states in the near future, that a presidential election soon would be held, and that many prominent Democrats had already received appointments to state offices and others were hopeful of similar rewards; all contributed heavily in the movement for the assembling of a second convention. Governor Mason declared that he had no power to call another election of delegates, but he intimated that it might be done legally by the spontaneous action of the people. As a result a committee of the Wayne County Democratic convention assumed the responsibility of issuing a recommendation that all counties hold such an election.⁷⁷

The Whigs consistently attacked the position of the Democrats on the statehood question,⁷⁸ and most of them refused to take part in the new proceedings and election. Thus, when the second convention met at Ann Arbor on December 14 and 15, the members unanimously adopted a resolution which accepted the act of Congress, but at the same time they declared that Congress had no right to require such assent!⁷⁹ Although acceptance in this form was strongly objected to in Congress, to which the president had transmitted the resolutions adopted by both the September and the December

16-20. The first resolution was offered by Ross Wilkins, who, by virtue of his appointment in July to be United States District Judge for Michigan when it was admitted as a state, had a personal interest in the outcome. The vote on the first resolution was 21-28, on the second, 28-21. Full reports on the convention are in the *State Journal* (Ann Arbor), September 29, 1836, and in the *Michigan Argus* (Ann Arbor), September 29.

⁷⁶Meetings held in several cities censured the convention action. A group at Detroit adopted a motion offered by C. W. Whipple that "at all hazards we will support the state government . . . and resist its overthrow." *Free Press*, October 19.

⁷⁷Campbell, *Political History*, 475-77; Hemans, *Life of Mason*, 243-47.

⁷⁸*State Journal* (Ann Arbor), October 13 and November 3, 1836.

⁷⁹*First and Second Conventions of Assent, Territory of Michigan* (Reprints of Journals and Proceedings, Lansing, 1894), 41-48. As in the convention held in September, it was Ross Wilkins who offered the resolution for assent. Daniel Goodwin and Benjamin F. H. Witherell, both of whom were later judges of the state supreme court, were members of the convention. William A. Fletcher, who had been appointed chief justice of the state supreme court in July, was invited to take a seat within the bar of the convention. An account of the proceedings of this convention, the so-called Frost-Bitten one, can be found in the *Michigan Argus* (Ann Arbor), December 29, 1836.

conventions, that body passed a bill (which became law on January 26, 1837) formally admitting Michigan as a state in the Union.⁸⁰

Meanwhile, one of the most important and determining factors in the transition from territorial to statehood status had been taking place in the demise of the territorial courts and in the establishment of the state judicial system. No matter what theories were or could be proposed, the fact is indisputable that the courts of the territory of Michigan continued to exercise full jurisdiction over its whole area until sometime in July. The supreme court of the territory held two sessions in 1836, one between January 4 and 27, the other from June 6 to June 30.⁸¹ At both terms the court heard arguments and motions, made orders, disposed of cases, and performed all normal judicial functions; all as a supreme court of Michigan Territory.⁸²

Moreover, petitions and affidavits were directed to and writs were allowed by the judges of the territorial supreme court until late in June and early in July, 1836,⁸³ while in at least two cases writs were allowed by a territorial judge *after* the date (July 4) on which the state courts were to go into effect by law, but prior to the date (July 18) on which the state judges were actually appointed.⁸⁴ The only authority under which he could have been performing his duties was that of the territory of Michigan, certainly not that of the state of Michigan. It may be significant that no record exists

⁸⁰The bill was adopted 132-43 in the House. *House Journal* (24 Congress, 2 session, 93). Michigan's Representative, Isaac Crary, was seated in the House on January 27. *House Journal* (24 Cong., 2 session, 290).

⁸¹"Journal of the Territorial Supreme Court," in the *Transactions of the Supreme Court of the Territory of Michigan*, edited by William W. Blume, 6:386-412.

⁸²"Journal of the Territorial Supreme Court," in the *Transactions of the Supreme Court of the Territory of Michigan*, edited by Blume, 6:386-412.

⁸³Judge Wilkins allowed a writ of certiorari on June 22 (Meldrum vs. Weeks, Sup. Crt., 1st circ., file no. 107); a petition was filed to the judges of the territory on June 25 (Fisk vs. LeRoy, Admin., Sup. Crt., 1st circ., file no. 5); a plea was filed on June 27 (Torrey vs. Madison, Sup. Crt., Terr. of Mich., file no. 1485).

⁸⁴On July 8 an affidavit dated July 2 and headed "Territory of Michigan" was directed to Judge Morell, who allowed a writ of certiorari on July 15 (Richards v. Richards, Sup. Crt., 1st circ., file no. 7). On July 7 Judge Morell allowed a writ of injunction which was issued July 9 and which was made returnable to the Supreme Court of the Territory of Michigan on the first Monday of January, 1837 (Moore et al. vs. Moore, Sup. Crt., Terr. of Mich., file no. A-154).

to indicate that these particular cases, over which territorial judges exercised jurisdiction in July, 1836, were ever contested on the grounds that the territory had ceased to exist. The territorial circuit court likewise held sessions in the various counties through June, 1836,⁸⁵ and the territorial circuit judge, William A. Fletcher, was paid a salary for his services rendered in the capacity until July 4.⁸⁶

Although two judges of the territorial supreme court convened on January 2, 1837, as the "Circuit and District Court of the United States," no business was transacted and they adjourned to the thirty-first day of the same month.⁸⁷ However, as Michigan was admitted to the Union on January 26, no excuse existed for any further meetings and no proceedings were held on the thirty-first except the signing of the record.⁸⁸ The federal jurisdiction of the territorial supreme court was merely a part of its general jurisdiction and was not, as has long been assumed, a separate "side" of the court.⁸⁹ If the territorial court had been abolished, either *de jure* or *de facto*, it would seem as if all of its functions, including that of sitting as a United States court, would have ended. But the weight of authority supports the view that, although most of its jurisdiction had been abandoned and had been appropriated in turn by the state supreme

⁸⁵Best available evidence indicates that the last session of the territorial circuit court was held in the following counties on the dates listed: Jackson County, June 7, 1836 (Circuit Court of Jackson County, MS Judgment Record, not paged); Kalamazoo County, May 20, 1836 (Wylls C. Ransom, "Kalamazoo County," *Michigan Historical Collections* 7:473 (Lansing, 1886); Oakland County, June [?], 1836 (Durant, Samuel W., *History of Oakland County, Michigan*, 41, Philadelphia, 1877); St. Clair County, February [?], 1836 (William L. Jenks, *St. Clair County, Michigan* 1:196, Chicago, 1912); Washtenaw County, June 14, 1836 (*Michigan Argus*, Ann Arbor, May 26, 1836, and the *State Journal*, Ann Arbor, June 2 and 16, 1836). A return to a certiorari was made by the territorial circuit court of Wayne County on June 1, 1836, in *Campau vs. Detroit* (Sup. Crt., Terr. of Mich., file no. 1480). A legal notice in a certain case headed "Circuit Court of the Territory of Michigan," was dated as late as July 21, 1836 (*Michigan Argus*, Ann Arbor, July 28, 1836).

⁸⁶*Senate Journal*, 1837, "Documents," number 5, p. 16.

⁸⁷Records of the Territory of Michigan Sitting as a Circuit and District Court of the United States of America (located in the records room of the Federal Courts, Detroit; citation furnished by W. W. Blume), unpage.

⁸⁸Records of the Territory of Michigan Sitting as a Circuit and District Court of the U.S.A. (located in the records room of the Federal Courts, Detroit).

⁸⁹See the excellent discussion of this point in *Transactions of the Supreme Court of the Territory of Michigan, 1814-1825*, edited by W. W. Blume, I, xxxiii-xxxvi.

court in July, 1836, the territorial court continued to exist until January, 1837, at least for federal purposes.⁹⁰

According to the laws passed by the Michigan legislature in March, 1836, the courts of the territory were supposed to be superseded by those of the state on July 4, 1836.⁹¹ In April a congressional act had provided that the portion of the territory west of Lake Michigan should be formed into the new territory of Wisconsin, whose government, including its own courts, should become effective on July 4.⁹² Anticipating that Michigan would soon accept the conditions stipulated for its admission in the law of June 15, Congress two weeks later adopted a statute which would institute United States courts in Michigan as soon as she entered the Union.⁹³ As a consequence of these laws new tribunals had been created whose jurisdiction, with the exception of those cases in which the United States was a party that might arise in Michigan before she was admitted, was coextensive with that of the various courts of the territory of Michigan, thus practically eliminating all need for continuance of the latter.

The President immediately appointed the judge and officers of the new District Court of the United States for Michigan,⁹⁴ but their commissions were not issued until Michigan was admitted in 1837.⁹⁵

⁹⁰*Transactions of the Supreme Court of the Territory of Michigan*, 1825-1836, edited by W. W. Blume, 1:lii. Justice McLean of the United States Supreme Court, in a dissenting opinion delivered in 1847, stated that the territorial supreme court held a session on the first Monday in January, 1837 (Scott et al vs. Jones, Lessee of Detroit Young Men's Society, 5 Howard 379). A resolution was proposed by Isaac Crary and adopted by the United States House of Representatives on February 28, 1837, that the judiciary committee inquire into the expediency of a law to transfer "the necessary papers, recognizances, cases, &c. from the Supreme Court of the former Territory of Michigan to the District Court of the United States for the State of Michigan, and for giving said District Court full power to try all causes continued over at the last term of said Supreme Court, and which are cognizable by said District Court." *House Journal*, (24 Congress, 2 session), 383.

⁹¹*Michigan Acts*, 1836, number 20, section 8, 31-32.

⁹²5 U. S. *Statutes at Large*, 10 (April 20, 1836).

⁹³Hemans, *Life of Mason*, 227.

⁹⁴*State Journal* (Ann Arbor), July 14, 1836. Ross Wilkins was appointed judge; Daniel Goodwin, attorney; and Conrad Ten Eyck, marshal. Goodwin had sought the position of judge, but when he learned that Congress had reduced the salary to \$1500, he withdrew his candidacy. Goodwin to Senator L. Lyon, January 22, February 18, June 22, in the Lyon Letters.

⁹⁵The commission issued to Judge Wilkins on January 28, 1837, can be found in the Ross Wilkins Stubbooks, 1:19, in the Burton Historical Collection.

However, the state supreme court justices were not nominated by Governor Mason and confirmed by the state senate until July 18.⁹⁶ The new state courts did not hesitate long before taking control of the state's judicial business; within a week after the appointment of the justices a writ was issued which bore the heading "State Supreme Court," and others soon followed.⁹⁷ No term of the state supreme court was held until January, 1837, but the individual justices, as required by law, presided in the circuit courts which were held in several counties during the latter part of 1836.⁹⁸

The problem of selecting the date on which Michigan assumed the role of statehood has been complicated by court decisions. In 1839 Justice Charles W. Whipple clearly intimated in a dissenting opinion of the state supreme court that he accepted the first Monday of November, 1835, as the actual date when the state of Michigan had come into existence.⁹⁹ It is very probable, although not certain, that the other justices of the supreme court agreed with him, because there was no divergence in this portion of the opinion from the majority decision. This same philosophy dominated an 1843 opinion delivered in the state supreme court in the celebrated case of *Scott and Boland v. Detroit Young Men's Society Lessee*,¹⁰⁰ which decided

⁹⁶Senate Executive Journal, 1835-1836, 17-18. The appropriation act which had been passed in March provided that the salaries of the justices should begin on July 4 (Acts, 1836, 136), but Chief Justice Fletcher was the only one paid from that date. Justices Ransom and Morell received salaries beginning on July 18, 1836. (*Senate Journal*, 1837, "Documents," number 5, page 17).

⁹⁷On July 25, 1836, Judge Morell allowed a writ of certiorari which was issued from the state supreme court the same day (*Batty vs. Fraser*, Sup. Crt., 1st circ., file No. 23); on July 30 Judge Fletcher allowed a writ of certiorari (*Lee vs. Force and Fish*, Sup. Crt., 2nd circ., file No. 18), and on the same day a writ of error was issued from the state supreme court (*Mathews vs. Howell*, Sup. Crt., 1st circ., file 8).

⁹⁸For example, state circuit courts convened for the first time in October in Kalamazoo (W. C. Ransom, *Kalamazoo County*, 473) and St. Clair counties and in November in Washtenaw County (*State Journal*, Ann Arbor, Oct. 20, 1836, and *Journal of the Washtenaw County Circuit Court*, 1, located in Washtenaw County Courthouse, Ann Arbor).

⁹⁹*Henretty vs. City of Detroit* (1839), MS opinion, Sup. Crt., 1st circ., file No. 159; *Unreported Opinions of the Supreme Court of Michigan, 1836-1843*, edited by W. W. Blume, 40-42 (Ann Arbor, 1945). Whipple stated that the people under the Ordinance of 1787 had a right to form a constitution and a state government which were to take effect on its ratification by the people. Whipple's stand on statehood had been made evident in the fall of 1836 when he had offered the following resolution at a meeting of Democrats in Detroit: "Resolved, That at all hazards we will support the state government and resist all and every effort to effect its overthrow." *Free Press*, October 19, 1836.

¹⁰⁰ 1 Douglass 119.

the exact point in question. The Detroit Young Men's Society, organized in 1832 for social, literary, and educational purposes,¹⁰¹ was incorporated on March 26, 1836, by an act of the state legislature.¹⁰² On July 1, 1836, the three judges of the supreme court of the territory—George Morell, Solomon Sibley, and Ross Wilkins—acting in the capacity of a land board by virtue of a congressional act,¹⁰³ gave a deed¹⁰⁴ to the society which was signed by the judges but not by the territorial governor, who also by law was a member of the land board. An ejectment action was tried in November, 1841, in the circuit court of Wayne County with Judge Morell presiding. He held that both the state legislative act incorporating the society in 1836 and the deed were valid.¹⁰⁵ By writ of error the case was taken to the supreme court.

Three main arguments were advanced in the supreme court by counsel for the plaintiffs in error: first, that the state of Michigan was not legally in existence on March 26, 1836, and, therefore, the legislature had no power to incorporate the society; second, that if Michigan was a state as claimed, there could have been no territorial government also in operation and the deed issued on July 1 by the territorial judges would be void; third, that the signature of the territorial governor was necessary to make the deed valid.¹⁰⁶ The opinion of the supreme court, however, which was delivered by Justice Epaphroditus Ransom, refuted all of these claims and upheld the decision given by the circuit court. Ransom at length stated that the Northwest Ordinance of 1787 had irrevocably secured to the people of Michigan the right not only to adopt a constitution but also to put a state government into operation without having first received Congressional sanction,¹⁰⁷ that the governor and judges of

¹⁰¹See the newspaper clippings on the history of the Society in the Scrapbooks of William Zug, 1:93-94, and 2:58, in the Burton Historical Collection.

¹⁰²*Michigan Acts*, 1836, 165-67.

¹⁰³*Proceedings of the Land Board of Detroit*, edited by M. A. Burton, 1915, Introduction, 3-10; Campbell, *Political History of Michigan*, 243.

¹⁰⁴The original indenture or deed may be found in the Herbert Bowen Papers, Burton Historical Collection, under date of July 1, 1836. Campbell said issuing this deed was the last official act of the governor and judges of Michigan Territory. 43 *Michigan Reports* XX.

¹⁰⁵Bill of Exceptions, Sup. Crt., 1st circ., file No. 224.

¹⁰⁶1 Douglass 125-27.

¹⁰⁷This was based on the following questionable assumption: "If the people had the power to form a permanent constitution and state government, it follows that they possessed the power to put the various departments of such

the territory were still performing their duties as territorial officers on July 1, 1836,¹⁰⁸ and that, even if they had been no longer the governor and judges of the territory of Michigan on that date, their functions as land commissioners were separate and distinct from their gubernatorial or judicial capacities and any three of them would have retained the power granted by the Congressional Act of 1806 to convey lots in Detroit.¹⁰⁹ Rather incongruously, then, the Michigan State Supreme Court in 1843 held that although Michigan had become an independent state out of the Union in November, 1835, the governor and judges of the territory of Michigan continued for many months thereafter to hold their offices and to perform executive and judicial functions within the "state" of Michigan, entirely upon the authority which they derived from the United States government.

Faced with what would seem to be the almost unavoidable necessity of selecting one particular date on which sovereignty had passed from the territory to the *de facto* state, Ransom ingeniously managed to escape the dilemma by declaring that the "change, from a Territorial to a State Government, was not, and from necessity could not be, instantaneous."¹¹⁰ Thus he adhered to a divided sovereignty theory, accepting the view that the state legislature could exercise the law-making powers while the territorial judges, who, under the fifth section of the schedule of the Michigan Constitution,

government into operation." Ransom held also that under the Ordinance of 1787 Congress could pass upon the principles embodied in a constitution only when a state was applying for admission to the Union, and not before. 1 Douglass 136-37. Ransom had expressed this same philosophy on the statehood question early in 1836 when it was a live issue, writing as follows to Senator Lyon: "But if we are not admitted as a State, what follows? Shall our State government be dissolved? Our Legislature adjourned sine die and the people again subjected to the shackles of a Colonial government? That is impossible, to such humiliation & degradation we can never submit & thank God, we are effectually saved from it by the glorious ordinance of '87." January 19, 1836, in the Lyon Letters.

¹⁰⁸The reasons cited in support of this statement were: (1) that the governor of the territory had not been removed by the United States government; (2) that the judges of the territory retained their jurisdiction and powers as a Circuit and District Court of the United States until their offices were abolished in 1837; (3) and that until July 4, 1836, when the Territory of Wisconsin was formed, the governor and judges of Michigan Territory unquestionably exercised authority over that part of Michigan Territory which was west of Lake Michigan. 1 Douglass 137-49.

¹⁰⁹1 Douglass, 149-50.

¹¹⁰1 Douglass, 143-44.

were "allowed" by the state to continue in office, could at the same time interpret the laws and dispose of the judicial business of Michigan.¹¹¹

It was said of this case later that "it was expected from the beginning that the cause would have to be settled by the U. S. Court & I believe it was not therefore very fairly argued in the State Courts."¹¹² At any rate a writ of error was obtained immediately to bring the question before the Supreme Court of the United States,¹¹³ and William Woodbridge, the Whig leader who had opposed the formation of the state in 1835 and 1836 and who had been elected governor of Michigan in 1840 and United States senator in 1841, was selected as counsel by the plaintiffs in error.¹¹⁴ After several years delay¹¹⁵ the case was finally dismissed in 1847 by the United States Supreme Court for want of jurisdiction.¹¹⁶

Woodbridge argued before the Supreme Court that the act which incorporated the society had been passed by a "pseudo-legislature"

¹¹¹The decision in this case has been praised by Edward Cahill, "Historical Lights from Judicial Decisions," in the *Michigan Historical Collections*, 38:128-29, by Shelby Shurtz, in *Michigan History*, 13:344, and by William W. Potter, *Courts and Lawyers of Michigan*, 2:835-42. However, a contemporary commentator of some competence remarked that "it is somewhat difficult to bring the mind to acquiesce in the extreme position taken by the Court of Michigan, although it might well be held that the admission of the State was a ratification of the doings of the people prior to such admission." See "Notices of New Books," in the *Law Reporter*, 10:91 (June, 1847).

¹¹²W. Woodbridge to J. Burnet, October 13, 1847, in the Woodbridge Papers.

¹¹³See the bond for such purpose, dated March 13, 1843, in the Woodbridge Papers. It is interesting to note that a second deed to the land was conveyed to the Detroit Young Men's Society on May 30, 1843, by the Mayor, Recorder and Aldermen of the City of Detroit, who in 1842 had been given power by Congress to adjust all land claims made as a result of the Act of 1806. The deed is in the Herbert Bowen Papers, in the Burton Historical Collection.

¹¹⁴J. Scott to W. Woodbridge, Detroit, October 16, 1843, in the Woodbridge Papers in the Burton Historical Collection. Woodbridge was admitted to practice in the United States Supreme Court in January, 1844. See the certificate dated January 10, 1844, in the Woodbridge Papers.

¹¹⁵Counsel for the defendant in error, Benjamin Howard and Robert McClelland, made several motions to dismiss the case. Various briefs, printed records of the lower court, notices of counsel to one another, etc., can be found in the Woodbridge Papers in the Burton Historical Collection, under the following dates: July (?), 1836; October 16, 1843; January 1 and 14, March 8, June 21, 1844; January 3, February 7, December 3, 1845.

¹¹⁶Scott et al vs. Jones, Lessee of Detroit Young Men's Society, 5 Howard (U. S.) 343.

which had no legal existence, and that the territorial government of Michigan was in full force until the state had been admitted to the Union by Congress on January 26, 1837.¹¹⁷ The majority opinion of the court, which was written by Justice Levi Woodbury, decided only the one point that, under the Judiciary Act of 1789, the federal court had no jurisdiction of the case,¹¹⁸ but from the language employed¹¹⁹ and from other evidence noted hereafter it is apparent that the supreme court was not willing to decide the merits of the exact question of statehood. Two justices dissented, declaring that the supreme court did have jurisdiction and should rule on the issue;¹²⁰ further, the dissenters expressed the opinion that the state act incorporating the society should be held unconstitutional on the grounds that "no act of the people of a Territory, without the sanction of Congress, can change the territorial into a State Government."¹²¹ The dissenting opinion declared that although it was permissible (but not usual) for a territory to call a convention and frame a state constitution without Congress passing an enabling act, the government of a territory must stay unimpaired until a proposed state is formally admitted into the Union. It is important to note that the losing counsel, William Woodbridge, claimed that the viewpoint taken in this minority opinion would have been accepted by a

¹¹⁷5 Howard (U. S.), 347-65. It was said that Woodbridge made a "very cogent argument." *Law Reporter*, 10:91.

¹¹⁸He ruled that the court had no jurisdiction because the state court had upheld the validity of the deed and so did not question the validity of a United States law, and because the Supreme Court of the United States could review acts on the question of their validity only if they had been adopted by states in the Union and not by "bodies" which had not been admitted by Congress. 5 Howard (U. S.) 374-78. Justice James Wayne concurred that the court had no jurisdiction but did not agree to any conclusions in the opinion on the merits in the case involving the political relations of Michigan and the United States. 5 Howard (U. S.) 382.

¹¹⁹Woodbury said: "Indeed, there were, and still are, some of the highest motives of expediency and sound public policy not to entangle this court with the reconsideration in this way of a matter so purely political and often so full of party agitation." 5 Howard (U. S.) 378.

¹²⁰Justice John McLean wrote the dissenting opinion, in which Justice Samuel Nelson concurred. His argument was that the 25th section of the Judiciary Act of 1789 provided that if the validity of a state statute is questioned in a decision by the state's highest court on the grounds of being repugnant to the Constitution, laws or treaties of the United States, such a decision can be reviewed by a writ of error in the United States Supreme Court. Since Congress has the power to admit new states, the time of admission is a question of law and not a political question, 5 Howard (U. S.), 380.

¹²¹5 Howard (U. S.), 381.

majority of the supreme court if it had not been for the fact that, during the years between the docketing of the case and its final disposal by the court, a new philosophy had become dominant among the members because of several changes in personnel.¹²²

Two years later the Michigan Supreme Court (with Chief Justice Whipple the only justice remaining on the bench of those who had participated in the Detroit Young Men's Society case) reiterated its stand that the state constitution had taken effect and become operative on the first Monday of November, 1835.¹²³ These decisions, however, did not prevent the Supreme Court of Ohio in 1852 from flatly asserting an opposite viewpoint and adopting the interpretation which had been made by Justices McLean and Nelson in the dissenting opinion of the United States Supreme Court noted above.¹²⁴ The question raised in the Ohio case was in part exactly the same as that which had been reviewed in the Detroit Young Men's Society case—that of the validity of an act of incorporation which had been passed by the legislature of the state of Michigan on March 25, 1836. In this instance the corporation was located within that area the possession of which was then in dispute between

¹²²W. Woodbridge to J. Burnet, October 13, 1847, in the Woodbridge Papers, in the Burton Historical Collection. This letter was written by Woodbridge nearly a year after the decision to a party who, so far as is known, had no practical interest in the question. He said that when Justices Story, Thompson and Baldwin had been on the Supreme Court, the motion to dismiss the cause had been overruled and the validity of the act of incorporation by the state legislature had been directly argued upon its constitutionality. Furthermore, he claimed that this action and certain remarks made by Justice Story to him had convinced him at the time that the Supreme Court would hold the act of incorporation to be unconstitutional; that because of the press of other business the case had been delayed for several terms; and that when it was finally disposed, Justices Story, Thompson and Baldwin had died, and the spirit of "Dorrism" had been infused into the Court. Woodbridge charged that the new justices, especially Woodbury, "were supposed to be fully imbued with that obnoxious & destructive folly." With Chief Justice Taney sick and not participating, the rest of the court, probably not being willing to affirm the state court, but being even more unwilling "to discountenance that right of Revolution which since the Dorr Revol. had been adopted into the creed of the Loco Focos," had dismissed the case. Part of this letter by Woodbridge appears to be missing.

¹²³Scott vs. Smart's Executors (1847), 1 Michigan Rep. 297. The note to this case on page 295 of the second edition of 1 Michigan Rep. (Chicago, 1878), which was annotated by Professor V. B. Denslow, is a glaring example of the ignorance which has prevailed upon the whole question of Michigan's statehood.

¹²⁴Myers et al. vs. The Manhattan Bank (1852) 20 Ohio Rep. 283.

Ohio and Michigan. The Ohio court based its decision on the principles that, because a territorial and state government "could not exist at one and the same time, over the same territory," it was essential for the territorial government to become nonexistent before a state government could begin to function, and that the territory of Michigan was in full existence and without congressional permission could not be overthrown by the people under the Ordinance of 1787.¹²⁵

The United States Congress avoided directly committing itself as to whether or not Michigan had been a state prior to its admission; when the question arose if Michigan's vote in the presidential election should be counted or not, it was decided to report the total vote both with and without Michigan's ballots and to state that in either case the same candidate would be victorious. This procedure had been followed by Congress also in 1820 with respect to Missouri.¹²⁶

Briefly summarized, the evidence which has been presented here tends to prove: first, that the people who lived in that portion of Michigan Territory which was east of Lake Michigan had no legal right by themselves to put into operation a state government; and second, that, irrespective of the possession or not of such a power, a fully effective state government was not instituted at least until July, 1836. To establish otherwise it would be necessary to prove, first, that a territory of the United States could divide itself into two parts and set up a state government in one of them without congressional sanction; second, that two distinct sovereignties could exercise complete jurisdiction over the same area at the same time or that one could exercise the legislative, another the judicial, and both of them the executive powers concurrently; and third, that a *de facto* state government could exist when only a portion of the ordinary attributes of sovereignty have been vested in it. These latter propositions seem to be unconvincing, either in a theoretical or a practical sense; therefore, this writer does not hesitate to assert

¹²⁵20 Ohio Rep., 294-99. The Ohio Court held further that the land which had been disputed between Ohio and Michigan did not come within Ohio's jurisdiction until after the Congressional act of June 15, 1836, but that the state of Michigan had never had legal control of that area because it properly had been under the jurisdiction of the Territory of Michigan. 20 Ohio Rep., 299-301.

¹²⁶House Journal, 24 Congress, 343.

the opinion that no "state" of Michigan could possibly have existed, even in a *de facto* sense, prior to the date the Michigan State Supreme Court became a reality on July 18, 1836.¹²⁷

¹²⁷This view is adhered to also by William W. Blume, with whom the writer has many times discussed the problem and from whom he has received valuable suggestions. See *Transactions of the Supreme Court of the Territory of Michigan, 1825-1836*, edited by William W. Blume, 1:xlv-lvii. Several earlier writers, however, have affirmed that Michigan became a state out of the Union in November, 1835. See Hemans, *Stevens T. Mason*, 250; Wade Millis, "When Michigan Was Born," in *Michigan History*, 18:209 (Summer and Autumn, 1934); Shelby Shurtz, letter in *Michigan History*, 13:343-47; "Historical Notes," in *Michigan History*, 15:696. Justice J. V. Campbell stated that there was no difficulty in allowing the territorial supreme court to retain jurisdiction of all judicial business until July, 1836, because "the Territory of Michigan was larger than the State, and included, in addition to what became the State, what is now Wisconsin and the country westward of it." (43 Mich. Rep. XIX-XX). Justice Thomas M. Cooley wrote that there were some "plausible reasons" for certain states to demand admission to the United States without a Congressional enabling act. Thomas M. Cooley, *Constitutional Limitations on the Legislative Power of the States* (5th ed., 1883), 36.

Railroad Logging in the Lake States

William G. Rector

AS THE CIVIL WAR DREW NEAR AN END THE LUMBERMEN OF THE Lake States vigorously renewed their assault upon the pine forests. New partnerships were formed, additional logging camps were built, and the high price of lumber augured a prosperous future. Then with a suddenness that swept both the lumbermen's breath and his fortune away, disaster struck.

During 1863 and 1864 the wartime shortage of labor curtailed the log cut, and bad drouths prevented the logs from being driven down the rivers. These factors, coupled with the inflationary aspects of the war, caused lumber prices to boom. Lower grade 4 x 4's that had sold for \$7.50 a thousand feet in 1862 were being purchased for \$16.00 in January, 1865. Then came the debacle. The loggers cut more trees than in the preceding years and the rivers flooded. Logs that had been bleaching along the driving streams for two years suddenly appeared in the mill booms, and with them the increased cut of 1865. In six months the price of 4 x 4's at Buffalo, New York, fell thirty-one per cent, while the price of mixed lumber on the Chicago cargo market fell from \$19.50 to \$10.00 between March and June.¹ Horace Greeley merely echoed the sentiment of a large section of the lumbering community when he wrote,²

Like all other hazardous pursuits . . . [the lumber business] attracts thousands by its possibilities of sudden wealth—possibilities which are seldom transmuted into realities. The poor lumberman fails to get out his logs promptly, and is made bankrupt by the delay or he gets them out, saws and runs them, only to find the market so glutted with boards that must be sold, that he cannot meet his liabilities. Only a great capital and shrewd, far-seeing management can ride safely the wild billows which sweep across the lumberman's course; and this region [of Minnesota and Wisconsin] will breath freer when its last pine tree is cut, run, sawed, rafted and sold.

¹Taylor's Falls Reporter (Taylor's Falls, Minn.) August 19, 1865; September 19, 1865; October 7, 1865; January 27, 1866. American Lumberman, (Chicago) 21, January 14, 1905; Chicago Board of Trade, Eighth Annual Statement of Trade and Commerce, 61 (Chicago, 1866).

²Exchange from New York Tribune in Taylor's Falls Reporter, October 28, 1865.

The cycle of scarcity and high prices followed by overproduction and a saturated market was repeated time after time in the Lake States lumbering industry, and indeed, was characteristic of lumbering in the United States during the nineteenth century. Loggers realized that they were dependent upon the whims of nature, and their correspondence is replete with references both to actual and anticipated weather conditions. Continuous and sustained production depended upon an early freeze, heavy snowfall, and little runoff of moisture until the spring breakup. Then, when the logs were being driven down the streams, spring showers were often necessary to maintain the rivers at a driving pitch. Rivers were uncertain highways for the lumberman. If uncertainty could be removed from the loggers' transportation system, one of the causes for boom and glut would be under control.

Until the 1870's Michigan sawmills were located at the mouth of a driving stream which served both as a pipeline for raw materials and as a harbor for lake vessels on which to ship the finished product. Many of these mill owners were freed from their watery bondage by the building of railroads into the forested areas. Mills were placed along the right-of-ways, the whirring saws moving closer to the stump, but further from the consumer, than the older sawdust centers of the Saginaws, Muskegon and Manistee.

While Michigan's common carriers were building up a trade in sawed lumber, the Lake Superior & Mississippi Railroad, which traversed one hundred miles of pineland between St. Paul and Duluth, was actively advertising for lumbermen to come and erect sawmills along its new line. The road promised to sell stumps at low prices and special freight rates were offered. A number of mills were erected, but by 1876 only three small mills remained in operation.³ In contrast with this experience more than half of the sawmills and woodworking establishments in Michigan were located along nine different railroad lines, and they produced almost one-fourth of the lumber cut in the state.⁴ Most of these railroad mills shipped their product to market by rail, but they still received the

³See advertisements in numerous newspapers of the period, for example *Taylors Falls Reporter*, February 17, 1871, *passim*; *Mississippi Valley Lumberman and Manufacturer*, November 10, 1876, 4.

⁴Franklin B. Hough, *Report Upon Forestry*, 512-51 (Washington, 1878).

major portion of their logs through the time-honored methods of sleighing and river driving.

Nature, however, continued to plague the loggers with warm winters, mid-winter thaws, and spring drouths. The lumbermen improved the streams for driving and built dams in order to conserve water and as long as timber stood adjacent to driving streams these measures sufficed.⁵ They then turned their attention to the problem of hauling saw logs from the forests to the riverbank log landings.

During the Civil War decade most of the trees were bucked into saw logs in the forests, skidded to a sled road, and rolled upon the sleighs. Slipping over snow covered roads, the bobs packed the snow and gave it an icy glaze, furnishing a good surface for the heavy loads. As long as the ground was frozen hard, and as long as snowfall was sufficient, few attempts at improvement were made, but during an open winter the loggers talked, planned, and experimented; the columns of the lumber trade journals were filled with references to various innovations.

In the seventies the innovations came at an accelerated pace, although they were not always of a lasting nature. During a severe drouth in the spring of 1872 the Flint & Pere Marquette hauled logs from the pineries to the sawmills.⁶ However, this traffic in logs was hampered at the beginning because the builders of the Pere Marquette made a grand mistake and the railroad by-passed most of the mills in the Saginaw area. Additional trackage had to be laid before the railroad could serve the mill areas.⁷

The following winter many lumbermen in Michigan, thinking of the three hundred million feet of logs stranded in the streams, curtailed their logging operations. Those firms that did go into the woods labored under severe difficulties through the winter. Hardly had logging operations commenced, when disease ravaged the horse stables and brought work to a standstill. The first snowfall was very deep, but it was light and dry. The deep snow was a hindrance to skidding operations, and sled runners cut through the snow and into the ground. Sand worked up into the ruts and made

⁵William G. Rector, "From Woods to Sawmill: Transportation Problems in Logging," in *Agricultural History*, 23:239-44 (October, 1949).

⁶*The Lumberman's Gazette* (Bay City), November, 1872, 11.

⁷*The Lumberman's Gazette* (Bay City), December, 1872, 11.

hauling difficult.⁸ Most of the loggers persevered and the firm of Van Etten, Kaiser and Company constructed a thirteen mile tram-road and prepared to supply their mill.⁹ Trade journals carried the news of this innovation and within four years there were "about a dozen such roads, averaging six or seven miles in length." Some of the tramroads were simply planks laid end to end on the ground, others were more elaborate and consisted of parallel poles held in place by stakes. The wheels of the logging cars on the latter roads were equipped with concave grooves which fitted upon the poles.¹⁰ This slight increase in the number of tramroads, when compared to the number of concerns operating in the state,¹¹ was undoubtedly due to the more normal winters that occurred through 1876. Then a series of events happened that were to produce a lasting impression on the business of lumbering in the Lakes States.

In 1876 W. Scott Gerrish and his associates were logging in Clare County. They cut sixteen million feet of logs, but could not drive them a dozen miles to the Muskegon River. In vain they tried to improve tiny Doc and Tom creeks, but the streams were too small. Almost in desperation they commenced to build a logging railroad.¹²

In January, 1877, the Lake George and Muskegon River Railroad began hauling logs seven miles to the Muskegon River. This was not the first logging railroad, for a quarter of a century earlier there had been a wooden rail, steam logging road in New York state, and during the early seventies a number of wooden track railways had been built in the South. In Michigan R. A. Alger and Company had operated an eighteen mile private road sometime earlier, but a road from Glencoe to Pinconning had proved a failure. Contemporary with the Lake George and Muskegon River Railroad was a logging railroad built especially to haul the giant redwoods of California, but unlike its predecessors and contemporaries, descriptions of the Lake George and Muskegon River Railroad were widely

⁸*The Lumberman's Gazette* (Bay City), March, 1873, 79.

⁹*The Lumberman's Gazette* (Bay City), December, 1872, 27.

¹⁰Hough, *Report Upon Forestry*, 551.

¹¹A "dozen" tramroads as compared to 450 manufacturing establishments, Hough, *Report Upon Forestry*, 543.

¹²Exchange from Farwell (Michigan) *Register* in *Mississippi Valley Lumberman and Manufacturer*, December 8, 1876, 4.

disseminated by the four lumber trade journals and the press of the Lake States.¹³

Rolling over twenty-five pound rails, the two engines and fifty logging cars carried an average of a half-million feet of logs a day during its first operating season and while other loggers in the Lake States struggled with a mild, practically snowless winter, the seven stockholders of the Lake George and Muskegon River Railroad formed a private corporation. Although \$75,000 in capital stock was authorized, of which \$55,000 was paid, the railroad cost only \$38,390 to build and equip. Charging log owners and logging contractors a rate of four and one-half cents a ton mile, the road's net earnings in its first year amounted to twenty-eight per cent of its capital investment.¹⁴ Other loggers, hampered by the worst winter in a decade, feverishly built tramroads, hauled snow for their sleigh roads, and experimented with icing the sleigh ruts. But the weather continued mild for most of the winter, and a trade journal reported that almost all of the logging done in the entire Muskegon Valley was that accomplished by those loggers who used the Lake George and Muskegon.¹⁵

The success story of the lumbermen who not only had gotten their logs to the mills but had earned twenty-eight per cent on their investment at the same time was widely publicized in the Lake States press. The following winter was generally mild and lumbermen constructed four additional railroads. After two such disastrous winters it appeared as though railroad logging would be inaugurated on a wide scale, but the weather again changed the situation. The winter of 1878-79 was almost a logger's dream. The ground froze, snowfall was abundant, and there were more than one hundred days of good sleighing. When spring came the rivers were bankfull and drivers joyfully chased the logs down the rivers and into the booms.

¹³Henry V. Poor, *Manual of Railroads of the United States*, 1880, 672 (New York, 1880); *Mississippi Valley Lumberman and Manufacturer*, March 15, 1878, 5; "Pioneer Days Along the Rugged Mendocino Coast," *The Timberman* (Portland, Oregon) October, 1949, 96.

¹⁴W. J. B[eal], "Cutting and Removing Logs for Lumber," *First Report of the Directors of the State Forestry Commission of Michigan*, 1887 and 1888, 31 (Lansing, 1888); *Sixth Annual Report of the Commissioner of Railroads of the State of Michigan*, 1877, 246-56 (Lansing, 1878); *Mississippi Valley Lumberman and Manufacturer*, February 1, 1878, 4.

¹⁵*Mississippi Valley Lumberman and Manufacturer*, February 8, 1878, 8.

On the Menominee River the drives of 1879 brought down 12.7 per cent more logs than the previous year; on the Muskegon River the increase was 26.8 per cent; on the Tittabawassee River, 38.8 per cent; on the upper Mississippi River, 46.9 per cent; and on the St. Croix River, 52.0 per cent.¹⁶ The immediate effect of the increased output was to cause the price of 4 x 4's at Buffalo to sag a dollar a thousand, but the market quickly recovered. From 1879 to 1882 the nation's consumption of lumber increased rapidly and lumber prices enjoyed a boom. From \$9.00 a thousand in July, 1879, lower grade 4 x 4's at Buffalo showed a steady advance until they reached \$13.00 a thousand in January, 1882. At Minneapolis, 2 x 4's advanced from \$12 to \$16 a thousand board feet. This advance of forty-four per cent at Buffalo and thirty-six per cent at Minneapolis caused a number of new sawmills to be erected and lumbering facilities were extended in every direction. In 1882 thirty-two logging railroads were constructed in the Lake States, and when the boom collapsed in 1884 a survey reported that Michigan possessed seventy-two logging roads with a total mileage of 574 miles and Wisconsin had five logging roads totaling fifty-five miles. There were no logging railroads in Minnesota, although one firm had an arrangement with the Northern Pacific by which the lumber company operated a locomotive and logging train over a portion of the common carrier's trackage. The function of most of these logging railroads was to act as feeders for the driving streams.¹⁸

While the Lake States lumbermen were building logging railroads on the one hand, on the other they were utilizing the common carriers more fully. The movement of logs by the Flint and Pere Marquette was revived in 1879 and in the following years log traffic showed a tremendous increase. The Michigan Central, the Detroit, Lansing and Northern, and the Grand Rapids and Indiana became important log carriers. These roads adopted a policy of sending spurs into the forests wherever it would be practicable, and as a result many lumbermen who contemplated building a private logging road

¹⁶Computed on the basis of the output of the booms on each stream, measured in feet, b.m.

¹⁷*Mississippi Valley Lumberman and Manufacturer*, March 28, 1879, 1.

¹⁸*American Lumberman*, January 14, 1905, 21; *Mississippi Valley Lumberman* (Minneapolis, Minn.) December 22, 1899, 12-13; *Northwestern Lumberman* (Chicago, Ill.) February 14, 1885, 14-17.

allowed the common carriers to handle the traffic. In 1884 it was reported that David Ward, of Michigan lumber fame, had entered a twelve year contract with the Michigan Central to ship 400 million feet of logs from the interior of the Lower Peninsula. Ordinarily, these logs would have been driven westward to Manistee, but now the railroad carried them in the opposite direction to Saginaw.¹⁹ The Saginaw millers, facing exhaustion of timber supplies, turned to regions which they had formerly considered to be inaccessible. Some rafted logs from Canada,²⁰ while others turned to the railroads.

In Minnesota, where the threat of timber famine was not so apparent, an experiment in transporting logs over the St. Paul and Duluth (formerly the Lake Superior and Mississippi) had been conducted as early as 1882. Although the rail rate was sixty per cent higher than driving costs, it was felt that the advantages of railroad transportation would outweigh the higher costs. Railroad carriage, the lumbermen reasoned, would eliminate the loss of logs due to shrinkage, avoid delays caused by low water and log jams, enable firms to handle hardwoods and other species that did not float easily, and allow the management to make plans for marketing lumber, secure in the knowledge that their logs would reach the mill on schedule. The first experiment lasted only one season, but was repeated periodically by different firms for the next decade. However, it was not until the pineries along the navigable branches of the St. Croix had been exhausted that the log train, thundering across the fields, became an important factor in the life of Stillwater millmen.²¹

The threat of timber famine led many lumbermen to contemplate liquidation of their businesses or removal to newer areas. The problem was an ageless one for the industry, but its force was dramatized by the impoverishment of the forest resources in the Saginaw Valley. Coincidental with the collapse of the lumber boom in the mid-eighties was the realization in eastern Michigan that its timber resources were limited. Many of the leading Saginaw lumbermen emigrated. Some went to Canada, but more departed for the Upper

¹⁹*Mississippi Valley Lumberman and Manufacturer*, November 28, 1884.

²⁰Robert C. Johnson, "Logs for Saginaw; The Development of Raft-Towing on Lake Huron," *Inland Seas*, 5:37-39 (Spring, 1949).

²¹*Mississippi Valley Lumberman and Manufacturer*, February 9, 1883, 1; *Stillwater Messenger* (Stillwater, Minn.), January 19, 1889.

Peninsula or northern Wisconsin and Minnesota. These latter regions were far removed from the older milling centers and were areas of limited driving streams. Railroads must be used for log transportation if the resources of the regions were to be utilized.

And a rail network was being built. The Duluth, South Shore and Atlantic traversed the northern edge of the Upper Peninsula from Duluth to Sault Ste Marie. The "Soo Line" paralleled the southern shore of the peninsula and then penetrated through northern Wisconsin to Minneapolis. The Milwaukee, Lake Shore & Western traversed the iron and timber regions of northern Wisconsin from Ashland to Lake Michigan. The Northern Pacific bisected Minnesota from Duluth to the Dakota prairies and the Wisconsin Central, "Omaha", Great Northern and other roads tapped many of the forests of the new region. Sawmills sprang up along railroad rights-of-way in a fashion reminiscent of the manner in which mills had blossomed around water power and boom sites in the 1850's. Private logging roads, unincorporated and publishing no annual reports, were extensively laid throughout the forests, and the common carriers turned increasingly to log traffic.

Until the railroad age the rivers of the Lake States had served as arteries of log transportation. The St. Croix River, for instance, had brought logs from within a few miles of Lake Superior to Stillwater, where they were either sawed or rafted for downriver shipment. But, in 1887, the St. Paul and Duluth; the St. Paul, Minneapolis and Manitoba; the Chicago, St. Paul, Minneapolis and Omaha; the Wisconsin Central; and the Minneapolis, St. Paul and Sault Ste Marie railroads ran through the forests of the St. Croix Valley,²² and the new railroad mills sawed an estimated 550 million feet of lumber in 1887, a year when only 270 million feet of logs passed through the St. Croix boom. By 1887, too, the loggers in the Lake States were operating 836 miles of private logging railroads that had a total annual capacity of almost two million board feet. That same year the 21 principal booms in the Lake States handled almost twice as many logs as did the private roads.²³ But the days of the river pigs were numbered and by 1905 only three major boom companies

²²Mississippi Valley Lumberman, March 25, 1887, 5.

²³Rector in *Agricultural History*, 23:244.

remained in operation.²⁴ Indeed, the brief stay of the Lake States as the chief lumber producing center of the United States was over and the lumbermen were confronted by a period of falling production, fluctuating but rising prices, and rapidly increasing costs.²⁵ In 1895 the Empire Lumber Company was delivering logs to Stillwater for \$5.85 per thousand board feet, a year later it was trying to sell comparable logs for \$8.25, and by 1901 a poorer grade was costing it \$13.50 at the same port.²⁶ Although lumber prices rose some 55 per cent during the period, the costs of obtaining the logs jumped 130 per cent.

The Empire Company's logs had been logged inland, hauled thirty miles over a logging railroad and then driven one hundred miles down the St. Croix where they were put into rafts to be towed to the mill at Winona, Minnesota. Although the price of stumpage had doubled, logging costs were about the same as in previous years (\$3.50 per M) and the driving charges were actually cheaper (.45 cents per M), but it cost the company almost three times as much to railroad the logs for thirty miles as it did to drive them a hundred miles. In addition the items of taxes and interest represented ten per cent of the total cost.²⁷ But the company faced the alternative of increased costs or of the liquidation of its business, so it utilized the railroad as a vital link in its transportation chain.

At the same time the Upper Mississippi Valley, once deemed the exclusive trade area of the Lake States lumbermen, was invaded by competitors. Oregon fir and redwood shingles from the Pacific Coast were hawked in Iowa. St. Louis, once a principal white pine distributing center, became a large handler of southern yellow pine. From New York to Oklahoma, the salesman from the northern mills

²⁴The Menominee River Boom Company of Menominee, St. Croix Boom Corporation of Stillwater, Minnesota, and the Mississippi and Rum River Boom Company of Minneapolis.

²⁵Lower grade 4 x 4's at Buffalo jumped from \$14.00 in July, 1899, to \$19.00 in January, 1900, and then declined to \$16.50 during the next year. By 1905 they had risen to \$18.50. Upper grades, on the other hand, showed a steady climb from \$44.00 in January, 1896 to \$82.00 in January, 1905.

²⁶C. August Staples to Empire Lumber Company, August 22, 1895; September 22, 1896; W. P. Tearse to Empire Lumber Company, August 17, 1901, all in the Ingram Papers in the Wisconsin Historical Society.

²⁷Breakdown per M shows, Stumpage, \$6.00; Logging, \$3.50; Railroading, \$1.25; Driving, \$.45; Rafting, \$.97½; Taxes and interest, \$1.32½. W. P. Tearse to Empire Lumber Co., August 17, 1901, in the Ingram Papers.

not only encountered competition from woods from other areas, but also the competition of cement, steel, and other wood substitutes.²⁸ Stronger competition and increasing costs forced the northern lumbermen to figure their profit margins more closely. The logging railroad became a central factor in their plans.

Timber holdings were consolidated into blocks. Sometimes one firm would acquire the timber in an area, but quite as often a group of operators, who owned the timberland, would cooperate and log their holdings together. These syndicates would push a logging road through the forest and pursue the much lamented policy of "cut out and get out." When the land was stripped of its most valuable resource, the engines were moved, the rails picked up, and the entire road was often shipped to another area. In twenty operating years one lumber company laid and picked up about 2,500 miles of trackage, but it never operated more than 200 miles of track at any one time. Between 1914 and 1929 another lumber company picked up and laid more than 1,200 miles of trackage, but when the operation was finished in 1929 the company possessed only 138 miles of track.²⁹

The policy of cutting out and getting out has been almost universally condemned by the present generation. Many have blamed it upon the avariciousness of the lumbermen; others state that high stumpage prices were the cause, while many old lumbermen affirm that the tax policies of local governmental units made the procedure a necessity. Forest fires, market fluctuations, and increasing production costs also entered the picture. It has even been insinuated that the logging railroad was the main factor and that its heavy capital requirements necessitated that it be used to its fullest capacity. All of these causes were probably felt, but it must be remembered that in the conditions of the time, cutting out and getting out was deemed the most efficient method of logging. As late as 1918 the United States Forest Service approved the practice and in an official bulletin it advised loggers to keep "your cutting area compact, and

²⁸Paul F. Sharp, "The War of the Substitutes; The Reaction of the Forest Industries to the Competition of Wood Substitutes," *Agricultural History*, 23:274-75 (October, 1949).

²⁹Grace Lee Nute, *Rainy River Country*, 104 (St. Paul, 1950). Figures 1914-1929 compiled from annual reports of the logging superintendent, Frank H. Gillmor Papers in the Minnesota Historical Society.

when you make a skid road, take out all the timber tributary to it before you move to the next one."³⁰

The building of the logging railroads involved the hardships so often associated with pioneer ventures. Equipment, rolling stock, and men were sometimes transported with great difficulties. During the winter of 1895 the St. Croix and Duluth Railroad used teams to haul a secondhand locomotive and fifty secondhand logging cars over fifty miles of rough terrain to the new right-of-way.³¹ The decline of lumbering operations slowly eliminated the logging roads; brokers in secondhand tracks and equipment sprang up in the 1890's to do a large business.

During the first flush of railroad logging it was hoped that many of the logging roads would be incorporated into the common carrier networks. In 1887 the trackage of the Lake George and Muskegon River Railroad became a part of the Toledo, Ann Arbor & Northern and three years later the Chicago, Milwaukee and St. Paul absorbed two logging roads in central Wisconsin.³² Many other logging roads were thus utilized, but the trend should not be overemphasized. A study made of a thousand miles of logging railroads in the state of Wisconsin shows that only 104 miles became part of the common carrier network.³³

The logging railroad and those sections of the common carriers which were built to serve the lumber industry faced a serious problem of readjustment when the industry declined. The combination of truck competition and the depression of the 1930's wiped out many remnants of a once great network. Old-timers claim that one used to be able to board a logging train at Sault Ste Marie and travel over logging railroads through the woodlands of the Upper Peninsula and northern Wisconsin to Duluth, Minnesota, and from there to the Canadian border. Today a logging railroad is almost as rare in the Lake States as an ox team.

³⁰Daniel F. Seerey, *Small Sawmills, Their Equipment, Construction, and Operation*, 44 (U. S. Department of Agriculture Contribution from the Forest Service Bulletin No. 718) (Washington, 1918).

³¹*Mississippi Valley Lumberman*, February 8, 1895, 11; F. Weyerhaeuser to Empire Lumber Co., July 23, 1896, in the Ingram Papers.

³²*Mississippi Valley Lumberman*, September 9, 1887, 11; May 23, 1890, 1.

³³Railway and Locomotive Historical Society, *The Railroads of Wisconsin, 1827-1937*, 5-69 (Boston, 1937).

The use of the railroad in the logging industry came not as the result of some sort of a revolution, but was the result of slow development in answer to an economic need. The railroad made it possible for the industry to expand, to utilize forests that were hitherto inaccessible, and to utilize species whose density was too high for the river driving methods of a previous age. When used exclusively, the railroad divorced the lumbermen from the uncertainties of weather and water transportation. On the other hand, railroad logging did increase production costs and required a larger capital investment. It was singularly suited for the large scale methods that marked lumbering operations from the 1890's to the first World War and with the decline of large scale operations and the reemphasis upon small operations the logging railroad was largely superseded by trucks and tractors.

From the viewpoint of the lumberman the greatest advantage of the logging railroad was that it eliminated uncertainties from his plans and calculations. The production of lumber ceased to be dependent upon the whims of ice and snow and of floods and drouths. By 1900 lumbering was no longer Greeley's "hazardous pursuit." The factor of dependability injected by the use of railroads was one of the major reasons for the change from a highly speculative enterprise to a planned and managed industry.

A Speech History of Albion College

Carroll P. Lahman, G. Robert Anderson, and Robert Weiss

IT IS A TRUISM THAT THE SMALL LIBERAL ARTS COLLEGE has exerted a disproportionately strong influence in American affairs. If speech is significant in the educational picture, it would seem worth while to discover and record the history of speech work in these institutions, as well as in universities and specialized schools. Such historical study offers challenging prospects for research.

The brief treatment here of eighty years at one such midwestern college in which there has always been an active speech program is based on upperclass undergraduate studies prepared for three seminar and honors papers.

Albion College, located midway across the state in southern Michigan, was chartered as an academy in 1835. The first college class was graduated in 1864. With the official backing of the Methodist church in 1870 the institution was firmly established, and college students increasingly supplanted those in the preparatory department.

The present study covers the three-quarters of a century since 1870. In general it discloses the same developmental history as has been found elsewhere: rhetoricals under faculty direction, literary societies, organized class work in the curriculum, competitive activity in various forms of forensics within the college and with other institutions, and the growth of interest in dramatics.¹

The system of rhetoricals was rather complicated and, as one reads the college catalogs and student newspapers of the first twenty-five years, frequently changing. Integral parts of the system were rhetoricals as such, exhibitions, chapel orations, and a certain amount of instruction in elocution designed, at least in part, to prepare students for public performance.

¹James Gordon Emerson, "The Old Debating Society," in the *Quarterly Journal of Speech* 17:362-75 (June, 1931); Willard B. Marsh, "A Century and a Third of Speech Training at Hamilton College," in the *Quarterly Journal of Speech* 33:23-7 (1947); Thomas E. Coulton, Trends in Speech Education in American Colleges 1835-1935 Ph.D. thesis, New York University, 1935.

The college catalog for 1871 reads:

In addition to the ordinary recitations in rhetoric and rhetorical exercises, much time will be given by the freshman and sophomore classes to practical exercises in elocution and English composition, in which, by the aid of lectures, regular and systematic drill for the cultivation of the voice and gesture, and the frequent use of the pen, it is hoped that many of the students will become accomplished writers and speakers.

The drill in elocutionary exercises will be continued during the junior and senior years, and each member of these classes will deliver an original essay or oration, or participate in an original discussion (apparently a two-member debate), every four weeks before all the students.

When it came to public rhetoricals various members of the faculty lent a hand. In two instances instructors in mathematics and natural science are indicated as being in charge.

These exercises, consisting of the presentation of essays, declamations, and orations, flourished in the decade of the 1870's but went into a decline with the introduction of the elective system in 1882 and, despite various changes from time to time, were abolished by faculty action in 1900, when a three hour course in oratory for all students took their place.

In the general system of rhetoricals the class exhibitions attracted the most public attention. They antedated the beginning of this study in both the college and the academy. Each class usually had at least one exhibition during the year, in which every member of the class was required to participate. At the end of the year there were commencement exercises for the seniors, whose original orations constituted the commencement program, and anniversary exercises put on by each of the literary societies.

In the class exhibitions sophomores and juniors were ordinarily required to present original orations or essays, but the freshman elocutionary exercises took the nature of interpretative reading or declamation in which almost any memorized selection could be given. These rules were not fixed, however, and sometimes freshmen were allowed or required to give original essays.

Among freshmen recitations Mrs. Elizabeth Browning almost always found a place in the programs, and Henry Wadsworth Longfellow and Alfred Tennyson were popular. The speeches of Patrick Henry and Daniel Webster were given frequently, as well as essays and orations culled from lesser known authors. Music

was always an important part of these programs, for the speaking shared the spotlight with numbers by a glee club or orchestra and solos by talented students.

Most of the orations in class exhibitions seem to have been expository in style and only indirectly motivative. One approach that was popular was to make analogies between natural phenomena and religious or moral situations. The subject matter, undoubtedly influenced by the classical curriculum, was primarily of a religious, philosophical, or classical nature. Current events did not seem to affect the orations until the 1880's, when a broader scope of subjects was developed. It was in the eighties, also, that biographical orations began to appear.

In both junior and sophomore exhibitions the women sometimes prepared essays, which they read, rather than orations.

The school calendar in the college catalogs, which had formerly listed all the class exhibitions, gave only the junior exhibition in 1880 and none at all after 1886. They continued to be held for many years but were never again so vital a part of the college program.

A final type of exhibition was the anniversary exercises presented by each of the literary societies, which constituted an important part of commencement week. For these annual affairs three orators and three essayists were elected by the societies. These exhibitions were an important part of the college picture for many years, until the societies which sponsored them gradually faded out.

It is interesting to note that undergraduate oratory still has a place in 1951 in commencement week activities in the form of the Senior Horn Contest, in which one representative of each of the four college classes compete for a \$20 prize established by the class of 1877 and for the privilege of having the winner's name engraved on a six-foot horn that was once a trophy in class scraps.

Unlike many other colleges, Albion's literary societies were largely coeducational. The Erosophian Society had been formed by the combination of a men's and a women's society in the 1860's. The Eclectic and Athenaeides were brother and sister societies and merged in 1880. These two societies held their meetings on Friday evenings in spacious and well furnished rooms on the third floor of North Hall. Each society had a suite of two rooms—the society hall and a reception or library room.

According to the testimony of those who attended, these societies gave their members a pleasant weekly social function as well as worthwhile practice in meeting varied speech situations, and all student, rather than faculty, directed. The literary societies during the zenith of their influence were not social gatherings that just happened to offer to their members speaking opportunities; they were organizations dedicated to the purpose of giving speech training. The preamble to the constitution of the Eclectic and Athenaeus Society reads:

We, the undersigned, students of Albion College, for the purpose of securing more complete intellectual culture and improvement in Forensic and parliamentary usages, do hereby organize ourselves into a literary association.

With this declared purpose, it is little wonder that these organizations fostered programs that offered about every known type of speech activity, including interpretation of both original and published poems, the reading of essays, the rendering of declamations, the giving of orations, and the presentation of debates. Although it varied with the occasion, the order of business usually followed this general pattern: a musical selection, devotionals of some type, roll call of members, recitations, essays, orations, or a debate, toasts, and finally a business session from which visitors were barred. Often the program was built around a special theme such as some author.

Sometimes the whole program was discarded to hear an outside lecturer, and sometimes special events such as a mock trial or a mock senate were held. In the election year of 1892 both societies held mock Republican and Democratic conventions.

Debates both within the societies and on an intersociety basis were very popular. Teams were made up of two speakers, usually a man and a woman, one the "chief disputant" and the other the "colleague". Today's conventional order of speaking prevailed, except that only the chief disputant appeared in rebuttal.

Both philosophical and practical questions were debated, with the balance swinging to the latter as time went on. Two-member debates, or so-called discussions, were also held on about the same type of questions. Manuscripts were sometimes allowed in these debates, but their use was frowned upon. At times a symposium was held, in which several orators and essayists gave their presentations on

different sides of a question or theme, but there was no direct clash.

Judges for the debates numbered three. They were usually faculty guests of the evening; sometimes they were qualified outsiders.

In addition to regular meetings the societies sponsored annual prize contests in recitations, essays, and orations, often with separate prizes for men and women.

More ambitiously, it was the societies who first ventured in intercollegiate oratory. In 1875 the Eclectic Society formed an association with societies from several other colleges in the state for the purpose of holding oratorical contests. Although the organization had only brief existence, antedating by twenty years, as it did, a true intercollegiate organization in the state, a contest was held at Albion on February 11, 1876, with two representatives present from societies representing Hillsdale, Olivet, Kalamazoo, and Albion colleges.

The heyday of the literary societies at Albion seems to have been around 1890. From this time forward their power and influence in campus life diminished. The news accounts of their functions show more and more emphasis on social activities and less on their dedicated purpose of "intellectual culture and improvement in Forensic and parliamentary usages." This does not mean that the literary societies immediately dropped out of sight. As a matter of fact, the number actually increased as they became more social until in 1915 seven such groups were listed in the college year book. Their final death knell was sounded in 1927, however, when the last one in existence became the local chapter of a national fraternity.

In one more college the literary society had succumbed to the hurrying forces of a less leisurely age where young men and women belong to social fraternities and buy their recreation at the ticket window.

The earliest antecedent of a separate department of speech was a short-lived experiment with an over-ambitious department of oratory that hoped to develop into a separate school. The work was begun in 1888 by Mark Beal, a graduate of the Boston School of Oratory, enjoyed a phenomenal growth under his leadership as an exponent of modified Delsarte principles, and as quickly subsided when he left in 1892.

During the next decade five different instructors at different times taught expression, elocution, or oratory.

In the fall of 1903, however, there came to Albion a man who was to revolutionize speech teaching and speech activities at the college and, to a lesser extent, as his influence grew, throughout the country. That man was Charles Henry Woolbert.

Graduated from Northwestern University in 1900, he came to Albion College in 1903 as head of the English department, with the official title of professor of English and oratory. He taught courses in both fields. One of his four speech courses was called seminar in public speaking and gave one or two hours credit for participation in intercollegiate oratory and debate.

This giving of academic credit for deserving extracurricular speech work, later expanded to include discussion, dramatics, and interpretative reading, has been a consistent policy at Albion and helps to explain the established position of these activities.

The annual public presentation of a Shakespearean play, without scenery and costumes, by Woolbert's interpretation class became a tradition. His reputation for stimulating teaching, exacting standards, and severe criticism grew with the years. He represented a sharp break with the Delsarte school of expression and emphasized instead the psychological approach and the conversational mode.

In another way Woolbert at this period represented a very different approach from that advocated by many speech teachers today. He put extracurricular activities at the very center of his interest and effort.

Intercollegiate oratory, aside from the one meeting of representatives from the literary societies of four colleges in 1876, had begun at Albion in 1893, when her representative won the state contest of the Intercollegiate Prohibition Association. In the spring of 1897, at the call of Fred Ingraham of Michigan State Normal School and Aquilla Webb of Albion, a meeting was held to organize the Michigan Intercollegiate Oratorical Association, which, in revised and broadened form, is still active.

Into the selection and training of representatives for these and other contests, such as those on peace, Woolbert threw himself with enthusiasm. In 1911 Stanley Howe, a senior of that year, won both state and national peace oratorical contests. In 1912 Leroy Robinson, also a senior, won first-place state and interstate honors in regular oratory. During Woolbert's ten years of coaching, Albion men only

once failed to place among the first three winners in the state contest of the Michigan Intercollegiate Oratorical Association, and five times they stood first.

What was the secret of his success? Insistence on direct, persuasive, "pragmatic" speaking that would sell the ideas advanced rather than impress listeners with the beauty of the performance.² This sounds commonplace to those who are accustomed to our modern techniques of persuasive speaking, but it was revolutionary in Woolbert's elocutionary world.

Then, too, Woolbert encouraged his students to depart from the prevalent biographical type of oration and to deal with current problems and their solution. This is common enough today, but young Professor Woolbert stole a march on his rivals, who took some time to realize and adjust to what was happening.³

Intercollegiate debating had come to Albion in 1897, just five years after the famous Harvard-Yale debate. Michigan State Normal School at Ypsilanti challenged Albion, with the provision that Ypsilanti choose the question and that Albion choose the side it preferred. The faculty as a whole accepted the challenge and agreed to pick the Albion debaters. The debate occurred on May 28, 1897, at Ypsilanti. Albion upheld the affirmative of the proposition: Resolved, that the peaceful acquisition of Cuba should be the policy of the United States, and lost the votes of the two judges.

Since then there has never been a year in which Albion has not taken part in intercollegiate debate.

It is a far cry from today's squad system of debate preparation to that in force forty years ago. Then the competition to get on a team was as great as the competition between Albion and her foes. The college paper reported in January, 1905, that for a single debate with Washington and Jefferson College thirty men entered the preliminaries. For the first five years only one intercollegiate debate was held each year, and not until after Woolbert's time did the number exceed three.

At least until after teams were finally chosen the faculty member had little to do with their training, however. Arrangements for the

²Personal interviews with Dr. Don D. Lescohier, 1905; Mrs. Hazel Robinson, 1910; and Dr. Clare E. Griffin, 1914.

³Personal interview with Dr. E. R. Sleight, 1901.

intercollegiate debates, challenges, answers, choice of questions, sides and debaters were largely in the hands of the oratorical association or committee made up of representatives from literary societies, fraternities and sororities, and the faculty.

To choose debaters the oratorical committee posted a notice of a coming debate and requested those interested in participating to sign up. Preliminary debates were then held, with three members on a side, each having ten minutes for a main speech and five minutes for rebuttal. Townspeople rather than possibly prejudiced faculty members acted as judges to choose the three best debaters, judged individually.

Case preparation was exhaustive. The material prepared by each entrant in the preliminaries was turned over to the chosen team. This material was supplemented by much study and by trips to large-library centers for research.

From the first, questions debated were of the policy type and dealt with current issues: compulsory arbitration of labor disputes (1902), state income tax (1905), single Presidential term of six years (1911).

Although in later years and under other able teachers and coaches excellent records in intercollegiate competition have been made, probably there has never been such a combination of contest success and popular support as that in evidence during the period about 1910. Whole issues of the college paper were given over to accounts of a particular debate. If the event was an outstanding oratorical contest, the speeches of the winners were printed in full, with commentaries on Albion's contestant in comparison with others.

When debates were held locally, not only students but townspeople and farmers from miles around jammed the chapel to the window sills to hear these word-and-wit battles. At least one of the participants believes the audience came more for the fight than for enlightenment.⁴

Be that as it may, Woolbert made a secure place for speech. A local chapter of Delta Sigma Rho was established in 1911. Student assistants and then a full-time instructor marked a growing department of English and oratory. It was with a deep sense of loss that Albion saw him move on in 1913 to the University of Illinois.

⁴Don Lescohier.

Women did not enter intercollegiate debating until 1916 but since then have been active and successful. In oratory they have established an enviable record since an Albion woman won the coeducational first state contest of the Michigan Intercollegiate Oratorical Association in 1898. In 1914 Ethel Bedient took first place over ten male rivals, representing as many states, in the eastern interstate prohibition contests. Since separate contests for women were set up by the state league in 1909 Albion's representatives have won at least twelve first places.

The period since World War I has been marked by consistent progress in both curricular and extracurricular developments.

In 1921 Henry Lee Ewbank, newly graduated from Ohio Wesleyan, who had come to Albion four years earlier as an instructor in English and public speaking, was made chairman of a new and separate department of public speaking. When he went to the University of Wisconsin in 1927 he was succeeded by Nicholas J. Weiss. In 1931 the department took the name Speech. At Weiss's death in 1936 Kenneth G. Hance, who had joined the staff from Olivet College two years earlier, became chairman, to be succeeded, in turn, by Carroll P. Lahman in 1940 and Jasper V. Garland in 1948. Various able instructors and assistant professors have served during the years since Woolbert was given a faculty assistant in 1909. In 1951-52 the department numbered three full-time and two part-time teachers.

With the growth in personnel has gone growth in course offerings and in activities. The college catalog listed only six courses in 1920; in 1950 there were over twenty, including radio and speech correction. From 1931 until 1950 all freshmen devoted part of their required English course to oral work under speech instructors. Freshmen may now elect one or two semesters of beginning speech.

In 1934-35 the department came fully of age with the offering of a major of twenty-four hours.

During these years, too, developments in forensics followed in rapid succession. Ewbank instituted the squad system for debate in 1921-22 and helped establish a state league the next year. Squads increased in size, and schedules became more extended, with numerous trips out of state. Various styles of debate were experimented with. In 1930-31 the Michigan Debate League reduced the size

of teams from three to two members, and the next year its first tournament was held at Albion. Two years later debate and oratory were combined in one state league, which sponsors contests also in extempore speaking, discussion, and interpretative reading. Several international debates were held between the two world wars. Discussion, through Delta Sigma Rho national congresses and community-wide projects, has played an increasingly large role on the forensic stage. A student speakers bureau was set up in 1941.

Local participation in forensics has been encouraged by an unusual series of prizes, ranging from rotating cups in extempore speaking presented by the local chapter of Delta Sigma Rho in honor of Nicholas J. Weiss and Kenneth G. Hance, to substantial cash prizes in class and all-school oratory and discussion for men and women. In all, the college catalog now lists fifteen such awards.

Drama was a late arrival at Albion. *Oedipus Tyrannus* had been presented in Greek as early as 1894 under direction of F. S. Goodrich, and various language departments had given plays from time to time. Reference has been made to non-costume presentation of Shakespearean plays by Woolbert's interpretation classes. However, it was not until January, 1922, that the first regular dramatic performance was publicly presented to an Albion College audience, when three one-act plays were given by members of the interpretation class.

The reason for the late appearance of drama is not clear but is probably found in the poor physical facilities of the college chapel at that time and the primary interest in other fields of speech on the part of earlier teachers. It may also be associated with the previous hostile attitude of the Methodist Church toward the theater.

Responsible for dramatics' establishment and rapid growth was Miss Florence Swisher, an Ohio Wesleyan alumna, whose special field was interpretation and dramatics. A Histrionic Club was soon founded, and during her seven-year stay a brilliant succession of varied plays was presented before local and numerous off-campus groups.

Miss Swisher was followed by Beulah G. Champ from Nebraska Wesleyan University, whose twenty-one years of service after 1928 have been the longest in the history of speech instruction at Albion College. Intent always on the educational values of interpretation

and dramatics, with a finely sensitive nature and the highest personal standards, Miss Champ taught classes in her field, directed and produced a steady succession of significant plays through the years, and sent contestants into the state interpretative contests that usually ranked high. In 1929 she was instrumental in securing for the college a chapter of Theta Alpha Phi. When she gave up dramatic coaching in 1944 she was succeeded by James W. Brock. Always she was successful in securing the enthusiastic cooperation of large numbers of students. One such former student in 1946 established in her honor the Beulah G. Champ Drama Award of \$50 to be given annually to the student "judged most outstanding for the year in the pursuit of the dramatic arts."

Every college has its own special features, its problems, its strengths and weaknesses. Some of the developments traced here are largely duplicated elsewhere; others are unique. For more than seventy-five years participation in speech has been a significant factor in the Albion College student's education.

Rix Robinson and the Indian Land Cession of 1836

Douglas Dunham

ON JANUARY 5, 1831, LEWIS CASS, GOVERNOR OF MICHIGAN TERRITORY, stated before the Legislative Council that "We are rapidly approaching the period when our present temporary government will be dissolved and succeeded by an independent state government."¹ Several years later Stevens T. Mason addressed a joint meeting of the Senate and House of Representatives of Michigan Territory in these words:

The importance of an immediate extinguishment of the remaining Indian titles within the peninsula of Michigan, will readily occur to you. The history of this unfortunate race should excite our sympathies, and it is but justice to them, that they should be removed to a quarter where, secure from the encroachments of the whites, they may be left free to follow their own pursuits of happiness. The tide of immigration which is now setting in towards Michigan, must overflow those tribes within our borders; and the history of the southern states should warn us against the occurrence of similar events in our own. This can only be prevented by the removal of the source from which the evil must certainly flow. I would therefore suggest an application be made by the legislature to the general government, requesting an appropriation for the purpose, and the appointment of commissioners to negotiate with the Indian tribes, for all their remaining lands within the peninsula. The Indians themselves are now prepared for this measure, and the opportunity should not be lost.² These remarks were but an indication of the rapid development of Michigan Territory, particularly in the area south of the Grand River. Yet the vast territory north of that line was still Indian territory and technically land-hungry settlers were barred from taking

¹*Messages of the Governors of Michigan*, edited by George N. Fuller, 1:59 (Lansing, 1925).

²*Messages of the Governors*, edited by George N. Fuller, 1:175. Henry R. Schoolcraft, Indian agent at Mackinac, had written to Mason concerning the willingness of the Indians to sell their lands through their request to him to "see and converse with the President and Secretary of War in their name." See Henry R. Schoolcraft to Stevens T. Mason, September 17, 1835, in the Records of the Michigan Superintendency of Indian Affairs, 1814-1851, Mackinac Agency, Letters Sent, May 31, 1833-July 1, 1836, 120, in the National Archives.

up claims in this area. It was a region given over largely to the pursuit of the fur trade. Posts of the American Fur Company as well as those of independent traders were to be found throughout the region.

The onward march of civilization made it inevitable that sooner or later the Indians would have to relinquish their title to the lands. Furthermore the over-all returns from the fur trade were beginning to decline. This trend pointed to an ultimate transition from the hunting stage to a more settled agricultural type of existence.³ Perhaps men like Cass hastened the process of land cessions. The future of Michigan Territory was close to the heart of this man and after his appointment as secretary of war it was expected that the cession of the remaining Indian lands on the upper Great Lakes would be urged through the Office of Indian Affairs, then under the jurisdiction of the War Department. Some years later Ramsay Crooks of the American Fur Company was to write to Samuel Abbott, company agent at Mackinac, concerning the proposed 1836 land cession that "Lewis Cass has set his heart on this treaty I am sure, and it must be accomplished at all hazard."⁴

Early in September, 1835, Henry R. Schoolcraft, Indian agent at Mackinac, received a directive from the Office of Indian Affairs asking that he "ascertain whether the Indians north of the Grand River would sell their lands, and if so on what terms."⁵ There was thus set in motion a series of developments which were to culminate in the Indian land cession of March 28, 1836, known as the Treaty of Washington. By this treaty the Indians were to cede most of their lands north of the Grand River.

In addition to Schoolcraft, who was designated at a later date to act as commissioner to treat with the Indian deputations in

³Ramsay Crooks to Benjamin Clapp, Mackinac, September 14, 1835, in the American Fur Company Papers in the New York Historical Society.

⁴Ramsay Crooks to Samuel Abbott, New York, January 2, 1836, in the American Fur Company Papers, Letter Book Correspondence, hereafter cited LBC, 2:316.

⁵Elbert Herring to Henry R. Schoolcraft, Washington, August 29, 1835, in the Records of the Office of Indian Affairs, 1824-1869, Letters Sent, 17:27, in the National Archives. See also Henry R. Schoolcraft, *Personal Memoirs of Thirty Years with the Indian Tribes on the American Frontier*, 522 (Philadelphia, 1851). The letter is also to be found in the records of the Michigan Superintendency of Indian Affairs, 1814-1851, Mackinac Agency, Letters Received, 1816-1836, 3:217, in the National Archives.

Washington, one of the key figures in the successful outcome of these negotiations was Rix Robinson, fur trader and American Fur Company agent in the Grand River Valley.⁶

The career of Rix Robinson typifies that of many of the early pioneers in the development of the new territories in the westward advance of civilization in the United States. Sutling to the army brought him to Michigan during the War of 1812. He then engaged in the Indian trade, first as an independent trader and later as an affiliate of the American Fur Company. As the territory in the Grand River valley became more settled, he closed out his fur-trading interests and shifted to mercantile and agricultural pursuits. He became an active participant in local and state government, serving variously as township supervisor, assessor, and road commissioner in Kent County. When Michigan became a state, he was appointed a member of the Board of Commissioners on Internal Improvements. He later served four terms as a state senator, was a member of the Constitutional Convention of 1850, and was at one time actively considered by some as a potential candidate for the office of governor of Michigan.

Throughout his career, Robinson was consistently interested in Indian affairs. He was destined to perform yeoman service in the 1836 land cession. Robinson was motivated in part by his desire to attend to the interests of his Indian associates as well as those of the American Fur Company. He also sought to safeguard his own long-standing investments in the Grand River valley. According to one account, Robinson had a claim of some \$48,000 against the Indians which they thought was "right and just."⁷ He was particularly well suited for the role he played because of his close relationship with the Grand River Indians. Robinson had taken an Indian wife

⁶For accounts of the life of Rix Robinson, see George N. White, "Sketch of the Life of Hon. Rix Robinson; A Pioneer of Western Michigan," in the *Michigan Historical Collections*, 11:186 (Lansing, 1888).

⁷Zenas G. Winsor, "Early Settlements of Ottawa County," in the *Michigan Historical Collections*, 9:236 (Lansing, 1886). Apparently this figure represents an approximation of the total amount Robinson received under various terms of the treaty. Robinson's actual claims against the Indians were much less. See Robinson's claim in Report of the Board of Commissioners Assembled at Michilimackinac, September, 1836, *Claims of Creditors of Ottawas and Chippewas, Presented under the Treaty of Washington Concluded with those Tribes, March 28th, 1836* (Detroit, 1837) in the Burton Historical Collection in the Detroit Public Library.

and in his trading activities among the Indians he had come to know many of them on a personal basis. His business transactions had earned the respect of the Indians and a reputation for fairness. His long residence in the area provided him with a knowledge of the state of the declining fur trade and the perennial indebtedness of the tribes. It gave him a sympathetic understanding of the desires of the Indians. A contemporary of Robinson's noted that "the great influence he had with the Indians, exerted always in the interest of peace between the Indians and the whites went far to establish good feeling and fair dealing between them at that early day."⁸

The events preliminary to the September, 1836 instructions from the War Department to Schoolcraft are described by him when he recalled the plight of the Indians at that time later in his *Personal Memoirs*. He wrote that

circumstances had now inclined the Chippewas and Ottawa tribes of Indians to cede to the United States a portion of their extensive holdings. Game had failed in the greater part of it and they had no other method of raising funds to pay their large outstanding credits to the class of traders.⁹

In November, 1835, an unofficial delegation of eight L'Arbre Croche Indians visited Washington under the leadership of Augustin Hamelin Jr.¹⁰ The purpose of the visit was to ascertain the intentions of the government with respect to their lands. They were well received by Lewis Cass. He instructed the Indians to return home and bring back to Washington a full deputation of Ottawas and Chippewas for the purpose of holding a treaty for the cession of their lands.¹¹

Immediately upon hearing of the proposed treaty and land cession, Ramsay Crooks, now head of the reorganized American Fur Company, dispatched letters to his agents in Michigan Territory apprising

⁸Winsor, "Early Settlements in Ottawa County," in the *Michigan Historical Collections*, 9:236 (Lansing, 1886).

⁹Schoolcraft, *Personal Memoirs*, 524.

¹⁰Augustin Hamelin, Jr. was named head chief of the Ottawa tribes at L'Arbre Croche, Little Traverse Bay, and surrounding areas, and of the Chippewas living near Mackinac at a council held at Little Traverse, May 3, 1835. See the *Michigan Historical Collections*, 12:621 (Lansing, 1889).

¹¹Henry R. Schoolcraft to Ramsay Crooks, Washington, December 26, 1835, in the American Fur Company Papers.

them of the proposed move. To Rix Robinson at Grand River he wrote:

You will have heard that a deputation of the "Arbe Croche" [sic] Indians came down in November to pay the President a visit for the purpose of Ascertaining the intentions of the government in relation to their lands. They were not invited to Washington but it seems that though the War Department was at one time opposed to their coming Lewis Cass has altered his conduct, and has sent back 3 Indians to their country to bring in a full deputation for the express purpose of holding a treaty with them at Washington for the purchase of All their lands on the Peninsula of Michigan from Grand river to its Northern extremity.¹²

Crooks added, "I have therefore to request you will send me without delay the best [sic] evidence you possess of the Claims you have against these Indians."¹³

Concerning this self-constituted delegation of Ottawas, Schoolcraft recalled that

the deputation was quite too local for the transaction of any general business, the Ottawas from the valley of the Grand river, an important section were unrepresented, the various bands of Chippewas living intercalculated [sic] among them on the lower peninsula extending down the Huron shore to Thunder Bay were unapprized of the movement. The Chippewas of the Upper Peninsula north of Michilimackinac were entirely unrepresented. I immediately wrote authorizing deputations from each of the unrepresented districts and transmitting funds for the purpose.¹⁴

Schoolcraft dispatched a letter to Charles C. Trowbridge in Detroit requesting his help in organizing a "proper delegation, properly authorized."¹⁵ Rix Robinson was also informed of the invitation to the Grand River Indians to attend the treaty in Washington and he was directed to take an active part in forming the Indian delegations. Schoolcraft wrote to Robinson that,

The Department has determined to treat with the Indians for their lands north of the Grand river at this place [Washington] as soon as a proper delegation can be got on. The Indians now here, are deemed inadequate, without adding to their number.

¹²Ramsay Crooks to Rix Robinson, New York, December 30, 1835, in the American Fur Company Papers, LBC 2:303-4.

¹³Crooks to Robinson, December 30, 1835, in the American Fur Company Papers.

¹⁴Schoolcraft, *Personal Memoirs*, 534.

¹⁵Henry R. Schoolcraft to Charles C. Trowbridge, Washington, January 13, 1836, in the Schoolcraft Papers, number 2302, in the Library of Congress.

I am directed to request you to send runners without delay to some of the principal Chippewas north of Grand river to repair immediately to this place to unite with the Ottawas in the Sale. Four or five of the principal men will be sufficient to represent their interests. It is desirable that Aishquonabee or some of the principal Grand Traverse Indians should attend.

Every day is important & I have to request that no time be lost. Call on any of the clerks of Biddle and Drew, and report themselves to Mr. Trowbridge who will furnish them the pecuniary means.¹⁶

Robinson promptly replied to Schoolcraft's request and told him that he "would use every effort to get the Indians on their way to Washington." He also informed Schoolcraft that "there is already some little clamour raised by the half breeds and some others objecting to the treaty being held in Washington."¹⁷

Early in February, 1836, Robinson wrote to Trowbridge reporting on the progress that he was making towards organizing such a delegation. "Immediately on receipt of yours and Mr. Schoolcraft's communication . . . I proceeded to send runners to the North to Notify the Chieves [sic] as far north as Grand Traverse." He further related to Trowbridge the activities of the L'Arbre Croche Indians who had been to Washington earlier and who had been sent back to bring in a larger delegation. "Two Chieves [sic]," he wrote, "with their interpreter Mr. Hamlin [sic] . . . have been councilling the Indians here and at Muskegon Endeavoring to get them to attend the Treaty at Washington." Apparently there was some difference of opinion among the Indians, for Robinson reported that "the Indians at that time refused to go to Washington but intimated that if the Government would send commissioners to treat with them in this vicinity [Grand River] the ensuing summer they would talk with them." Robinson, however, expressed his inclination to accompany a Grand River delegation "forthwith and on to Washington," though he did not sound too hopeful of success in inducing the Indians to make such a trip.¹⁸

¹⁶Henry R. Schoolcraft to Rix Robinson, Washington, December 24, 1835, in the Schoolcraft Papers, number 2292.

¹⁷Rix Robinson to Henry R. Schoolcraft, Grand River, January 13, 1836, in the Records of the Michigan Superintendency of Indian Affairs, 1814-51, Mackinac Agency, Letters Received, 1816-1836, 3:380.

¹⁸Rix Robinson to Charles C. Trowbridge, Grand River, February 1, 1836, in the Trowbridge Papers, in the Burton Historical Collection. See also, Rix Robinson to Ramsay Crooks, Grand River, February 13, 1836, in the American Fur Company Papers.

Some two weeks later, he again wrote to Trowbridge in a much more optimistic vein. He said that:

Things have taken a different aspect in this hemisphere daily. My Runners have just returned from the North and bring News that a number of Chieves [sic] will be at my House perhaps today. They expected to find them here as they took a different route. A number of the Chieves [sic] of this vicinity have just concluded to accompany me to Washington.

I shall wait 3 or 4 days longer for those from the North, when if they do not arrive I shall set off with a number from here and be at Detroit as soon as possible.¹⁹

In the meantime other Indian delegations were being organized and were proceeding to Washington. Captain John Clitz, acting Indian agent and commanding officer at Fort Mackinac, also informed Trowbridge that he was acting on orders from the secretary of war to organize a delegation of chiefs to proceed to Washington. They were to be accompanied by John Drew, trader at Mackinac.²⁰

Robinson's arrival in Detroit on February 22 was noted in a letter from William Brewster, American Fur Company agent, to Ramsay Crooks. "I have had some conversation with Mr. R.," he wrote, "on the subject of the contemplated treaty. I have given my views in relation to the whole matter & have got his notions right in some respects where they were wrong."²¹

Robinson's chief interest as far as the American Fur Company was concerned was in the matter of claims against the Indians. On this point Brewster told Crooks that he had convinced Robinson

that it would result decidedly better for the interest of just claims against the Indians (such as ours) [the American Fur Company] & for the Indians themselves to have the treaty held at Washington, for the reason if held in the country, false claims will always be presented in large amounts and so managed that many of them will be allowed to the exclusion of just claims.²²

Crooks, himself, however, was doubtful of the wisdom of holding the treaty in Washington.

¹⁹Rix Robinson to Charles C. Trowbridge, Grand River, February 13, 1836, in the Trowbridge Papers.

²⁰John Clitz to Charles C. Trowbridge, Headquarters, Fort Mackinac, February 17, 1836, in the Trowbridge Papers.

²¹William Brewster to Ramsay Crooks, Detroit, February 23, 1836, in the American Fur Company Papers.

²²Brewster to Crooks, February 23, 1836, in the American Fur Company Papers.

Apparently the American Fur Company was planning heavily on Robinson's influence with the Indians. Brewster had urged him to "have the Indians well trained in what they are to ask the Government before they arrive in Washington." He also advised him to "impress on the Minds of the Chiefs the fact that they would be able to effect a better treaty in Washington than at home," and that he should also urge the Indians "to make up their minds fully to sell their country as the Government will have it."²³

Thus Robinson was expected to play an influential role in convincing the Indians of the necessity of the proposed land cession. He left Detroit on February 29 with a delegation of six Grand River chiefs. Robert Stuart, former American Fur Company agent at Mackinac, and Leonard Slater of the Thomas Mission among the Grand River Indians were with the group.²⁴

Robinson and his group arrived in Washington on March 11.²⁵ From the American Fur Company viewpoint, Ramsay Crooks, like Brewster, looked on Robinson as a key man in the successful outcome of the negotiations. Upon receipt of Brewster's letter of February 23, Crooks hastened to dispatch a letter to Robinson in Washington giving further instructions. He wrote

I am not for obstructing negotiations but if you are satisfied with the general assurance that all just claims will be allowed and do not obtain definite recognition of them *before* the signing of the Treaty you will be disappointed in the results just as sure as the Sun shines. The only way to secure the payments of your claims is to have them admitted, allowed, and inserted in the Treaty. You may rely on it, no other course is safer.²⁶

When word reached Crooks that apparently there was some dissension among the Indians concerning the desirability of selling all their lands,²⁷ he wrote to Robinson that he felt a much more satisfactory treaty could be made on the shores of Lake Michigan where a full assembly of the Indians and all the other interested parties could

²³Brewster to Crooks, February 23, 1836, in the American Fur Company Papers.

²⁴Mary Holiday to Ramsay Crooks, Washington, March 11, 1836, in the American Fur Company Papers.

²⁵Holiday to Crooks, Washington, March 11, 1836, in the American Fur Company Papers.

²⁶Ramsay Crooks to Rix Robinson in Washington, New York, March 5, 1836, in the American Fur Company Papers, LBC 2:444.

²⁷Charles Gratiot to Ramsay Crooks, Washington, March 4, 1836, in the American Fur Company Papers.

be held. He hastened to add, however, that if things had not gone too far already, he wished to repeat his former recommendation not to trust to promises or to agree to any compromise to reduce the claims; that Robinson should insist on the whole amount and have it inserted in the treaty.²⁸

Negotiations got underway March 15 at Masonic Hall in Washington and Crooks became the principal liaison agent for Ramsay Crooks during the meetings. He was repeatedly called upon to give his attention to the interests of the various company agents who had claims against the Indians. Crooks wrote from New York

Be so good as to call upon General [Charles] Gratiot for [Bela] Chapman's and [Solomon] Juneau's claims—the latter will of course be admitted like your own if a treaty be made and so will Chapman's if the Chippewas of the North are parties to it. You will have the goodness to see that they are attended to and I beg your care also for the enclosed claim of Mr. [Gabriel] Franchere if the Indians of the Straits from Drummond Island to Sault Ste. Marie have anything to do with the treaty.²⁹

When Robinson informed Crooks of the proposal made during the negotiations that a commissioner would determine the claims,³⁰ Crooks wrote back urging him to try and prevent this move. "The claimants all know best what they ought to receive," he grumbled.³¹ Crooks was insistent upon this point. "Their merits should be determined now in Washington if the Government means to redeem their promise made through Mr. [Lucius] Lyon and Mr. Schoolcraft to pay all just debts of the Indians."³²

During the course of the negotiations it became apparent that some of the Indians were balking at selling their lands while others were

²⁸Ramsay Crooks to Rix Robinson, New York, March 15, 1836, in the American Fur Company Papers, LBC 2:461.

²⁹Crooks to Robinson, March 15, 1836, in the American Fur Company Papers, LBC 2:461. See also, Ramsay Crooks to Solomon Juneau, New York, March 2, 1836, in the American Fur Company Papers, LBC 2:436. Bela Chapman and Solomon Juneau were traders in Wisconsin near Milwaukee. Gabriel Franchere traded at Sault Ste Marie.

³⁰Rix Robinson to Ramsay Crooks, Washington, March 23, 1836, in the American Fur Company Papers.

³¹Ramsay Crooks to Rix Robinson, New York, March 20, 1836, in the American Fur Company Papers, LBC 2:472.

³²Lyon purportedly had promised Robinson that all just claims would be allowed and paid. Apparently Schoolcraft had given similar assurances to Crooks. See Henry R. Schoolcraft to Ramsay Crooks, January 9, 1836, in the American Fur Company Papers, and Ramsay Crooks to Rix Robinson, March 5, 1836, in the American Fur Company Papers, LBC 2:443.

quite willing. Those who favored the sale of their lands were afraid that they would lose the chance to secure a favorable settlement if they did not sell now. They finally appealed to Schoolcraft, complaining that those who were opposed to the sale of the lands were being influenced by outsiders who were urging the Indians to refuse the sale in hopes of securing better terms at a later date. Obviously these outsiders hoped to obtain a better settlement for their own interests. Schoolcraft thereupon ordered the leaders of each delegation, such as Rix Robinson, to see to it that the Indians were given private rooms and that they were not to be disturbed during their deliberations.³³

After reaching agreement in principle concerning the sale of their lands, the Indians then requested that the terms of the treaty should be examined by some of their white friends to see that everything was in proper order. The Grand River Indians asked that Rix Robinson be empowered to act for them.³⁴ In this capacity Robinson was influential in securing the final agreement of the Indians to the ultimate terms of the treaty.

Some indication of the esteem that the Indians held for Robinson is to be seen in their request during the negotiations for an allotment of land for Robinson and his family by his Indian wife. They asked that a private reservation of one square mile located at the Grand River rapids be so allocated.³⁵ This type of request was directly contrary to the instructions which the War Department had given to Schoolcraft, the commissioner.³⁶ Therefore a compromise had to be reached. Article VI and Article IX were largely the result of the Indians

feeling a strong consideration for aid rendered by certain of their half breeds on Grand river and other parts of the treaty ceded [sic] and wishing to testify their gratitude on the present occasion they assigned

³³John Hurlburt, Records of a Treaty Concluded with the Ottawa and Chippewa Nations, at Washington, D.C., March 28, 1836, 15-16, in the Schoolcraft Papers.

³⁴Hurlburt, Records of a Treaty Concluded with the Ottawa and Chippewa Nations, at Washington, D.C., March 28, 1836, 16-17, in the Schoolcraft Papers.

³⁵Hurlburt, Records of a Treaty Concluded . . . at Washington, D.C., March 28, 1836, 16-17, in the Schoolcraft Papers.

³⁶Lewis Cass to Henry R. Schoolcraft, Washington, March 14, 1836, in *The Territorial Papers of the United States*, edited by Clarence E. Carter, 12:1141 (Washington, 1945).

such individuals certain locations of land and united in a strong appeal for the allowance of same in this treaty.³⁷

Article VI provided that in lieu of the requested land grants the sum of \$150,000 would be set aside for the half-breeds who were to be divided into three classes for payment. For whites such as Rix Robinson, for whom the Indians requested individual reservations, Article IX provided that a separate fund of \$48,108 would be set aside "for the extinguishment of this class of claims." Thus Article IX states "To Rix Robinson in lieu of a section of land granted to his Indian family, on Grand river rapids (estimated by good judges to be worth half a million) at the rate of thirty-six dollars an acre."³⁸ This gave Robinson a payment of \$23,040.

Negotiations for the treaty were concluded March 28, 1836. When it was subsequently submitted to the Senate for ratification, considerable discussion took place. Schoolcraft long felt that Senator Hugh L. White, chairman of the Committee on Indian Affairs objected to the terms of the treaty "to embarrass [sic] and disoblidge" President Andrew Jackson. Schoolcraft was disturbed by what he referred to as White's "utter ignorance of their [Ottawas and Chippewas] history, character and best interests. He violated," continued Schoolcraft, "the very principle on which alone two of the original cessions, namely those of the Ottawas and Chippewas and of the Saginaws were obtained; and introduced features of discord which disturb the tribes."³⁹

The treaty was finally ratified May 20, 1836, with amendments. It was officially proclaimed May 27, 1836. The next major hurdle was to assure the consent of the Indians to the Senate alterations. On this point Rix Robinson was to perform a most essential service. Schoolcraft enlisted the aid of Ramsay Crooks and Crooks immediately dispatched messages to his agents in Michigan urging them to assist in convincing the Indians to accept the Senate modifications. He wrote to Schoolcraft:

According to your suggestions, I have requested Messrs. Abbott and

³⁷Treaties Between the United States of America and the Ottawa and Other Tribes of Indians Concluded, August 29, 1831, and March 28, 1836, 14 (Grand Rapids, n.d.), in the Burton Historical Collection.

³⁸Treaties Between the United States of America and the Ottawa and Other Tribes of Indians Concluded, August 29, 1831, and March 28, 1836, 15, in the Burton Historical Collection.

³⁹Schoolcraft, *Personal Memoirs*, 538.

Franchere to do all they can in aiding you to persuade the Indians to accept the modifications made by the Senate in the treaty. Mr. Robinson (I presume) will readily assist of his own free will but I have nevertheless written to him also to the same effect.⁴⁰

Schoolcraft likewise communicated with Robinson informing him of the meeting to be held at Mackinac in July and he requested him to notify the Grand River Indians to send a proper delegation. He further urged him to attend the meetings himself if at all possible.⁴¹ This Robinson did.

The Indian chiefs began to assemble at Mackinac July 10 to discuss the altered terms of the treaty. During the meetings held July 12-16, they assented to the Senate alterations.⁴² Plans were then made to put the treaty into effect and a grand council was called for September at Mackinac for the distribution of payments and goods.⁴³

Of particular interest to Rix Robinson at the treaty execution was the payment of claims of the Indian creditors. A board of commissioners had been named to determine the validity of the claims. In pursuit of its duties Robinson gave valuable assistance. Undoubtedly there were claims which were subsequently allowed which would not have been settled without testimony supplied by Robinson.

Robinson himself submitted a claim in his own behalf for \$24,076.27. This amount covered trade conducted with the Grand River Ottawas during the period 1816-34. The Board of Commissioners allowed the payments for the amount of \$22,989.38. The commissioners deducted according to their stated policy a certain percentage for liquor sales. This deduction amounted to \$1,086.89 for Robinson's claim. In granting the payment the commission noted

⁴⁰Ramsay Crooks to Henry R. Schoolcraft in Mackinac, New York, June 7, 1836, in the American Fur Company Papers, LBC 3:279. See also, Ramsay Crooks to Samuel Abbott, New York, June 7, 1836, in the American Fur Company Papers, LBC 3:276-78.

⁴¹Henry R. Schoolcraft to Rix Robinson, Mackinac, June 16, 1836, in the Records of the Michigan Superintendency of Indian Affairs, 1814-1851, Mackinac Agency, Letters Sent, May 31, 1833-July 1, 1836, 172.

⁴²Henry R. Schoolcraft to Lewis Cass, July 18, 1836 (with accompanying articles of agreement signed by the Indians), in the Records of the Michigan Superintendency of Indian Affairs, 1814-1851, Mackinac Agency, Letters Sent, 1836-1851, 1:3. See also Schoolcraft, *Personal Memoirs*, 541.

⁴³Ramsay Crooks to Benjamin Clapp, August 8, 1836, in the American Fur Company Papers.

that Robinson's claim indicated that "the articles are charged at such prices and no more than to give him a fair profit upon cost and expenses."⁴⁴

Robinson also submitted a claim for \$6,856.51 in behalf of the American Fur Company as their agent for trade with the Grand River Indians during the years 1834-36. The commissioners allowed the claim for the amount of \$5,656.74.⁴⁵

An insight into the assistance Robinson gave to both the claims commissioners and the claimants may be seen in several instances. Francis Bailly, a trader in the Grand River valley, submitted a claim for \$673.21 against the Ottawas. The commissioners noted that he presents only a copied book, but it appears from evidence of Rix Robinson and Richard Godfroy that he was a trader, is of fair character and that he had original entries from which this book was made out and then they were destroyed.

Bailly also submitted an additional claim for expenses involved in caring for four orphaned Indian children. Said the commissioners, "upon enquiring of Messrs Robinson, Godfroy and Campau, we are satisfied that this service was rendered and that we ought to allow \$6 a month for each child."⁴⁶

Robinson also aided in settling the claims of Phineas Davis, a trader of Detroit, who submitted an account of \$216.70 without the necessary evidence verifying the claim. He asserted that it was due from a Grand River Indian by the name of Gosa. The commissioners questioned Robinson concerning the claim and noted in admitting it for payment that

Mr. Robinson states he is acquainted with Gosa and has knowledge of his purchasing goods from Mr. Davis. That he was himself the medium of transmitting a payment of furs as they appear on the account amounting to \$400, and has no doubt that Gosa owes the balance claimed.⁴⁷

Louis Moran, trader in the Grand River area, submitted a claim against the Ottawas for the amount of \$884 for goods supplied the

⁴⁴Report of the Board of Commissioners, September, 1836 (Detroit, 1837), claim number 91, 9, 48.

⁴⁵Report of the Board of Commissioners, September, 1836, claim number 66, 8.

⁴⁶Report of the Board of Commissioners, September, 1836, claim number 18, 20-21.

⁴⁷Report of the Board of Commissioners, September, 1836, claim number 18, 22.

Indians between May, 1835, and March, 1836. Robinson verified the fairness of the claim and the amount was allowed. Similarly an affidavit from Robinson for the claim of Francis Fariot of Grand River for \$598.50 resulted in the claim being granted.⁴⁸

In assessing Robinson's activities with respect to the Treaty of Washington, it is apparent that he played an influential role at four very critical stages in the treaty-making process. In the period preliminary to the opening of the negotiations, he was instrumental in encouraging the Indians to attend the treaty conferences in Washington and actually accompanied them there as their leader and advisor. During the progress of negotiations between the commissioner and the Indians, he gave valuable assistance to both the commissioner and the Indian delegates towards arriving at an equitable settlement. Following the alterations made by the Senate prior to ratification, Robinson performed an essential service in working with the Indians to gain their consent to these modifications. Finally, in the concluding payments and distribution of goods at the Grand Council at Mackinac in September, 1836, he assisted both the claims commissioners and the claimants in settling their accounts.

In addition to facilitating the actual treaty settlements, Robinson also served the American Fur Company well in the recognition of its claims against the Ottawas and Chippewas.

The rather unsavory story behind many of the Indian land cessions in this country, coupled with the fact that Robinson stood to profit considerably by the terms of the treaty may raise the question of his motivation. Was this man almost unique among Indian traders? A review of his activities with respect to the 1836 land cession seems to indicate that Robinson was somewhat apart from the usual run of Indian traders. That he chose to remain a permanent resident of the area in which he engaged in the trade attests to the lack of a purely exploitive motivation in his relationships with the Indians. Accounts of Robinson's activities written by contemporaries further bear this out.

Claims of traders against the Indians were notoriously exaggerated in that day. This was particularly true if government payment of those claims was in the offing. It had become customary for the

⁴⁸Report of the Board of Commissioners, September, 1836, claim number 93, 49, 51.

government to provide monetary allowances for the settlement of claims against the Indians in a land cession. More often than not, traders exerted considerable pressure on the Indians to sell their lands with careless disregard for the consequences to the Indians. The traders were motivated by the prospects of personal gain. This being the case, it would seem that had there been any serious question concerning Robinson's motives or integrity, his assistance would not have been requested with such frequency. Certainly Robinson hoped to safeguard his own investments but if he had been motivated solely by self-interest, no doubt he would have followed the prevailing practice and would have submitted a well padded account of claims. As it was, the commissioners who reviewed his claim did not feel that it was out of order. Other claimants who followed the prevailing practice did not fare as well. Robinson's interest beyond his own monetary gain is evidenced by the complete trust that the Indians placed in him. They too felt that his claim was a just one. Had he been guilty of the typical practices of many of the Indian traders of his time this would not have been the case. It is apparent that through his long residence in the area the Indians had come to respect him for his fair dealing. Robinson's integrity is further substantiated by the fact that he did not object to the site selected for the treaty negotiations. It would have been to his advantage to have had the conferences held on home ground where his influence among the Indians could have been exerted to the best advantage. As it was, he used his influence to convince the Indians of the desirability of holding the treaty in Washington. Furthermore, when the Indians were being pressured by some not to sell their lands in hopes of obtaining better terms at a later date, Robinson was among those delegated by Henry Schoolcraft, the commissioner, to protect the Indians from such interference.

Thus Michigan owes a considerable debt to Rix Robinson, whose life so closely paralleled the development of this area during parts of its territorial years and the early formative years as a state. It was through such men as Robinson, with dual interests in the welfare of their Indian friends and in the future development of the lands, that the Indian titles to vast sections of the public domain were extinguished with a minimum of difficulty and friction—a fact that was almost unique in the long history of acquiring Indian lands.

The Detroit and Cleveland Navigation Company Warehouse at Detroit

Emil Lorch

THIS SURVEY WAS UNDERTAKEN BY THE WRITER when it was evident that the warehouse of the Detroit and Cleveland Navigation Company would be razed. Its purpose is to preserve in graphic and pictorial form something of the structure which for nearly a century has been associated with some of Detroit's business leaders and with one of its outstanding enterprises. The survey became possible through the cooperation of Prentiss M. Brown, chairman of the board of the Detroit Edison Company. Excellent pictures were made of the exterior and interior of the building by an expert photographer and it was possible to employ two young men to make measured drawings of floor plans, elevations, a section, and some of the details of the building.

The warehouse of the Detroit and Cleveland Transportation Company at Detroit, long known as the "D & C Warehouse," also housed the company offices for many years. The structure occupied most of lots ninety one and ninety two of the Governors and Judges Plan at the northeast corner of Wayne Street and the dock at the Detroit River, in the area which for over one hundred years was one of the most active shipping centers of the Great Lakes. Acquired by the city of Detroit, the building was razed in the fall of 1951 and the site joined with the space extending to Woodbridge Street cleared to form part of the river front development. It is now a public parking place. The gabled four and a half story building, measuring eighty feet on Wayne Street and sixty feet east and west, had rather shallow limestone foundations and brick walls. The original covering of the pitched roof, perhaps tin, had long disappeared and given way to one of roofing felt. The floor construction was of heavy timber posts and beams supporting joists and thick pine flooring. The attic floor was supported by the heavy wooden roof trusses. There was no freight elevator. Merchandise was raised outside by means of ropes running through pulleys fixed to projecting beams and winding

on large wheels and drums. These windlasses were in the attic. The larger of the two wheels was eight feet in diameter. On each floor on the north, south, and west sides of the building were wide openings for receiving packages and boxes. Inside there was a hatch or opening in each floor for lifting and lowering stored material. Near the southeast corner a narrow, open stair led to the attic and thence to a scuttle in the roof. Nearby was the original chimney, another being added when a steam heating plant became necessary for the offices. Two additions were made to the structure before 1889:¹ a two and one-half story brick building on the east and a one-story frame freight shed extending from the main building to the river edge of the dock. Both had been removed by 1933.²

Before 1889 the business offices were moved to part of the second and third floors on the west or Wayne Street and the river sides. At that time the number of window openings was almost doubled,³ some old windows were enlarged and a half dozen small bay windows sprouted on the river side. Long iron balconies and a stair were added along the Wayne Street side as fire escapes from the two office floors. These changes seriously disturbed and marred the unaffected and pleasing original design of what was a somewhat unusual utilitarian structure. At floor levels and in the brick frieze the iron wall plates, round in form, made a pleasant pattern. On the long or nongabled sides a cornice three feet high crowned the walls. It was of brick with eight courses for the frieze topped with first four and then two brick courses. Some distinction was given the exterior by the window openings having panelled and well-ornamented cast-iron lintels, or heads, and sills, all in excellent taste. On the interior the window openings were widened by spread sides, or splayed jambs, and supporting segmental arches of brick. The inside window sills were of plank. The double sash windows lacked pulleys and weights, each sash having twelve lights. Iron bars protected some of the first story windows. There were no shutters. The cast-iron door heads had plain panelled faces and a cap moulding. With installation of the wainscoted offices ornamental cast-iron columns replaced some of the wooden posts.

¹Silas Farmer, *History of Detroit and Michigan*, illustration page 911 (Detroit, 1889).

²"Detroit's Oldest Building", *Detroit News*, March 6, 1933, illustration.

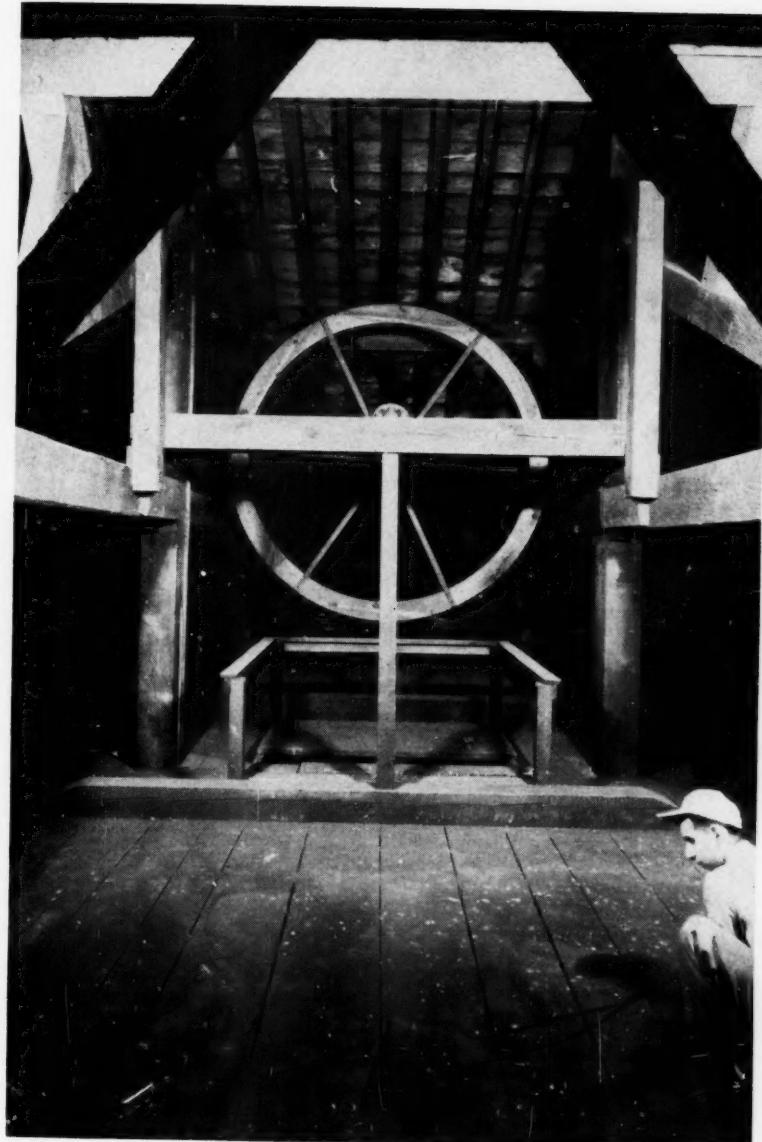
³Farmer, *History of Detroit . . .*, 911.



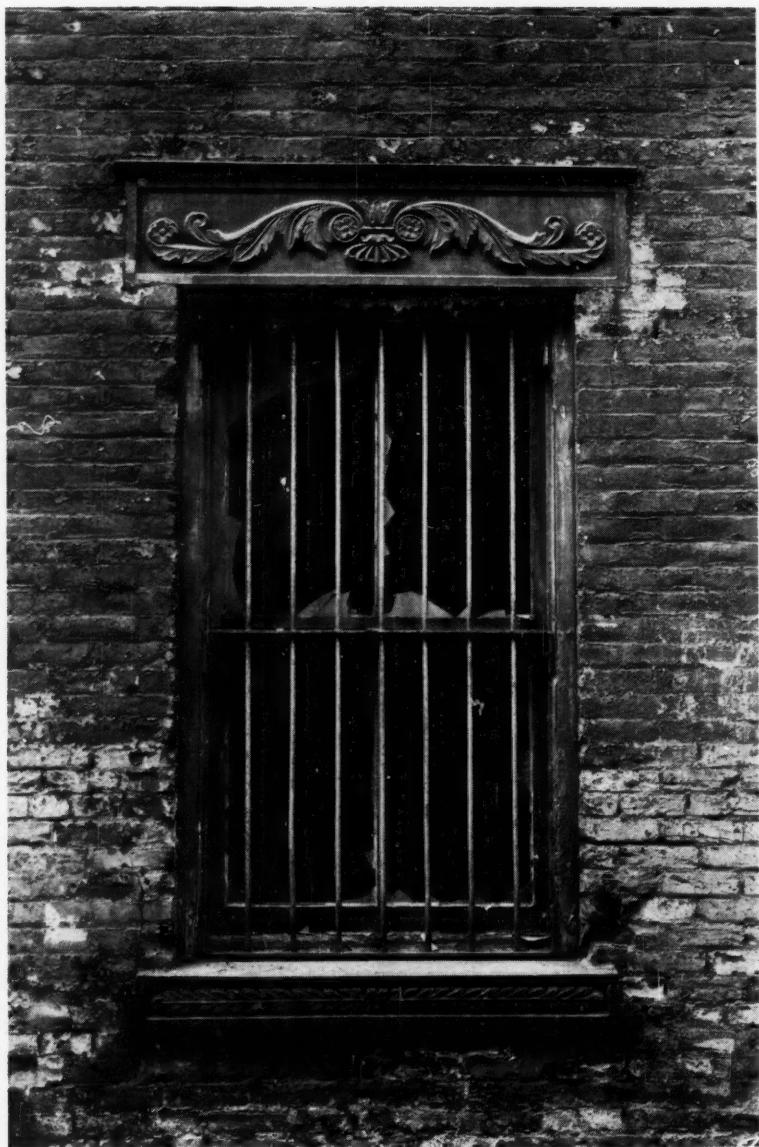
D & C NAVIGATION COMPANY WAREHOUSE AT DETROIT



ATTIC OF D & C WAREHOUSE



WHEEL IN ATTIC USED TO RAISE MERCHANDISE



ORNAMENTAL WINDOW LINTEL AND SILL

By whom was the warehouse built? According to the abstract of the property, consulted through the courtesy of William C. McMillan, Henry Whiting and Oliver Newberry purchased lots 91 and 92 and two other lots in 1825, five years after Newberry came to Detroit to stay. In 1857 Whiting transferred his interest to Newberry, who died three years later, and on March 22, 1864, Henry Warner Newberry as executor of Oliver Newberry's estate sold lots 91 and 92 to Eber Brock Ward, the lots running "to the channel bank. On said premises are situated a large brick warehouse and dock occupied by Newberry and Co." With the property in Oliver Newberry's name from 1857 to 1864 and held jointly by Whiting and Newberry during the twenty-two preceding years there is no doubt that building the warehouse was the work of Whiting and Newberry.

Silas Farmer states that the Detroit and Cleveland Navigation Company was established in 1850, and has been managed chiefly by the present owners since 1850.⁴ The company was incorporated in 1868. "Detroit and Cleveland Steamboat line, office foot of Shelby" is the first entry for the company in the Detroit city directory for 1869. In 1864 Eber B. Ward purchased the property from the Oliver Newberry estate.⁵ The Ward will was probated in 1875, James McMillan and John Owen becoming the owners in 1878. The latter date may approximate the time when the Detroit and Cleveland Navigation Company began using the old warehouse. With the growth of Detroit and the increase of traffic the company used more and more dockage near Wayne Street and built additional freight sheds; the company's fleet of steamers increased in number and size, some of the many-decked ships being among the largest ever built for lake transportation. Cleveland, Buffalo, and Mackinac Island were the chief destinations for passengers and freight. During the summer months the wharf at the foot of Wayne Street was enlivened by the colorful departures and arrivals of unnumbered excursionists and travelers accompanied by the honking of horns and click of hand trucks and at times by the music of a band.

The old D & C warehouse was the last and was largely typical of the gabled early warehouses which lined the river west of

⁴Farmer, *History of Detroit . . .*, 910.

⁵Abstract of the property.

Woodward Avenue between Woodbridge and the Detroit River.⁶ With the razing of the structure the last evidence of the sailing ship and steamboat era of early Detroit has been destroyed.

The first mention of the structure in the abstract appears in 1864, four years after the death of Oliver Newberry, when Eber B. Ward became the owner. Leroy De Forest Satterlee, after a searching study of the site and area in 1941, concluded that the building might not be older than 1852 and that it was erected on filled ground adjoining the foot of Wayne Street on the east.⁷ This was during the ownership of the property by Henry Whiting and Oliver Newberry. If, as claimed, the site was under water until 1850, it is remarkable that so few cracks developed in the brick walls due to settlement, since no piling was found under the wall footings when the building was razed. These cracks seen in 1951 were in part evidently due to the cutting of additional window openings over sixty years ago. Mr. Satterlee points out that in 1835, according to the map of John Farmer,⁸ Wayne Street ended in a wide indentation of the shore line. In this inlet the indefatigable Oliver Newberry in 1833 built his boat the *Michigan*. At that time he was already the owner of eight small vessels and one of Detroit's business leaders. Two years later he built his large residence at the northeast corner of Shelby and Fort streets. His house and the adjoining lots were bought in 1863 by Hiram Walker, who sold them in 1895 to three members of his family. The University Club occupied the house from 1910 to the end of 1913. Later the Federal Reserve Bank was built on the site, the formal opening taking place on March 15, 1928, and the fine little Ionic porch of the Walker residence was moved across the river to Walkerville.

George B. Catlin, historian of the Detroit News, states that in 1854 Oliver Newberry "built a brick warehouse and elevator at the river-front." Catlin credits Newberry with "leasing a warehouse at the

⁶See the lithograph, copyright 1857, drawn by George T. Robertson, showing the Detroit River front, in the Michigan Historical Collections at the University of Michigan.

⁷Leroy De Forest Satterlee, Some Data regarding the Antiquity of the Detroit and Cleveland Navigation Company Office and Warehouse, Detroit, 1941, in the Burton Historical Collection of the Detroit Public Library.

⁸John Farmer, *Map of the City of Detroit in the State of Michigan* (New York, 1835). This map shows lots 91 and 92 on the river side of the shore line.

foot of Wayne Street," and mentions a painted sign, "Newberry and Co.", on the wall of the building, seen when adjoining buildings were razed; no dates are given.⁹

In 1837, in the first Detroit city directory, appears "Newberry O. and Company, forwarding and commission merchants, 16 Woodbridge Street"; in the city directory for 1853-54, Newberry's warehouse is listed as at the northwest corner of Front and Second streets and west of Wayne Street.

In 1853, on May 13, according to an item in the Detroit *Free Press*, it was "understood" that a brick warehouse and steam elevator¹⁰ were to be built "on the unoccupied ground at the foot of Wayne Street on the river." On May 2 of the following year the *Daily Advertiser* announced that "O. Newberry has commenced building a new wharf at the foot of Wayne Street on which he is about to erect a large brick store-house."¹¹ Finally, according to the 1855-56 directory, Newberry and Company's warehouse is placed "on Dock, foot Wayne." Thus 1854, the date given by Catlin is apparently correct.

On the east and west sides the brick walls were twenty, and those on the north and south sides twenty-four inches thick. Every eighth course was of headers. On twelve by twelve inch square timber columns having chamfered angles rested wooden corbels or horizontal pieces of the same size and five feet eight inches long. These supported sixteen by twelve inch beams and three by twelve inch joists twelve inches on center. The flooring was two inches thick. Some boards were twenty-one inches wide. The outer rows of columns were partially set into the brick walls and had angle braces to help support the beams. The average column spacing was about eleven feet. The floor beams and the roof trusses ran east and west. In the fourth story there was but a single center line of columns, leaving the space comparatively clear. This was made possible by having the attic or fifth floor beams form the bottom member of the trusses. The latter and the floor construction were tied to the brick

⁹Biography of Oliver Newberry, in the George B. Catlin Papers in the Burton Historical Collection.

¹⁰At the time "steam elevator" probably indicated a donkey engine or steam-driven hoisting apparatus.

¹¹Clarence M. Burton, Detroit, 1814-1863: Digest of Current Newspapers, 332, in the Burton Historical Collection.

walls by iron rods and the cast round plates seen in the photographs and drawings.

The cast-iron lintels over the door openings were panelled, of "channel" shape, thirteen and one-half inches high with four and one-half inch bands or flanges extending into the wall; the window lintels, also with channel section, were twelve inches high. The iron window sills were of L section, five by six and one-half inches, the longer side forming the top of the sill. The iron was one-half inch in thickness. Arrangements were made to preserve examples of these interesting iron lintels and sills, construction elements which preceded the development of present day steel and concrete.

The Inimitable Marxists: The Finnish Immigrant Socialists

John I. Kolehmainen

"THEIR THIRST FOR KNOWLEDGE IS AMAZING. They are natural-born speakers. They are inimitable, bold, proletarian, revolutionary, Marxist."* When an obscure Dr. Herman Titus proffered this sweet-smelling bouquet to the Finnish-American Socialists, thereby winning an enduring place in their affections, there was an occasional and proper remonstrance. The editor of a working-class newspaper gulped, and managed to say: "Oh if this were altogether true!" Several others mumbled something about rhetorical praise.¹

Yet if the truth be told, a surprisingly large number of immigrant Socialists were of the opinion that their achievements prior to the first World War merited good words.

Bread and butter Socialism, disregarding an American newspaperman's rash assertion that "the Finnish people are too intelligent to be fooled by the hare-brained doctrines of Socialism," advanced swiftly, especially in the years after 1903.² "That Jew Karl Marx" triumphed over the utopianism of Matti Kurikka and swallowed up a potpourri of humanitarianism, petit-bourgeois reformism, nationalism, Tolstoyan anarchism, free thought, and theosophy, masquerading as a working-class movement. Sundry dream books as well as the writings of Robert Ingersoll, Robert Blatchford, and Edward Bellamy, were relegated to the kindergarten as an increasing number of immigrants took to the sterner studies of Marx, Friedrich Engels, Karl Kautsky and Werner Sombart.

*This paper was read at the annual meeting of the Mississippi Valley Historical Association, April, 1952.

¹Seattle (Washington) *Socialist*, July 18, 1908; Hancock *Työmiest*, July 28, 1908.

²Conneaut (Ohio) *Post-Herald*, August 1, 1900. The standard works on the Finnish-American working-class movement are F. J. Syrjälä, *Historia-aikheita Amerikan Suomalaisesta Työväenliikkeestä* (Fitchburg, Massachusetts, n.d. and Elis Sulkkanen, *Amerikan Suomalaisen Työväenliikkeen Historia* (Fitchburg, 1951). For a survey of the literature see the writer's *The Finns in America: A Bibliographical Guide to Their History*, 56-64 (Hancock, 1947).

As was to be expected, religious and temperance leaders rose in righteous wrath to stop the forward-marching Reds. Many stratagems were tried. Police were told to jail Socialist organizers; one of the latter wrote from northern Minnesota:

I was imprisoned yesterday in Ely as an anarchist. Some Finns had informed the police. I was finally released when Dr. Tanner [a Finnish practitioner] took personal responsibility for me. In [the neighboring town of] Virginia I was yelled "down and out." I'm glad God has blessed me with a happy disposition and long legs.³

Municipal councils were petitioned to enact ordinances forbidding the display of red flags. Local newspapers were asked to print denunciatory resolutions which, like the following, were imaginatively composed with a Finnish-English dictionary in one hand and a thesaurus in the other:

Socialistic utopian ideas are fed by Atheism, which cannot benefit any class of people; neither the unfortunate, whom it bereaves of hope; nor the prosperous, whose joys it renders insipid; nor the woman, whose beauty and modesty it mars; nor the mother, who has a son to lose; nor the rulers of men, who have no surer pledge of the fidelity of their subjects than *religion*.⁴

Despite or perhaps because of such opposition, the so-called emissaries of anti-Christ allured a swelling number of immigrants into the Socialist ranks; but only—charged the conservatives—by resorting to "the cunningness of the knave, the adroitness of the unscrupulous politician, and with the assistance of the rejected angel."

By 1911 the red flag was waving boldly in no less than 217 Finnish settlements in the United States. Over nine thousand men and women were banded together in the Finnish Socialist Federation, which had been organized in 1906 and became the American Socialist Party's first foreign-language federation. The following table indicates the growth of the Finnish-American Socialist movement:

³The organizer was Vihti Kosonen, whose letter is quoted in *Työmiest Kymmenvuotias* 1903-1913, *Juhlajulkaisu*, 66-67 (Hancock, 1913). The reminiscences of another famous organizer, Martin Hendrickson, may be found in *Muistelma Kymmenvuotisesta Raivaustyöstäni* (Fitchburg, 1909).

⁴Texts of these so-called Judas Resolutions are printed in the Hancock *Amerikan Suometar*, February 19, 1908; Ashtabula (Ohio) *Amerikan Sanomat*, April 1, 1908; and Syrjälä, *Historia-aiheet*, 73.

Year	1907	1908	1909	1910	1911	1912	1913	1914
No. of								
chapters	133	150	160	173	217	248	260	227
Members	2,928	3,960	5,384	7,767	9,139	11,535	13,847	11,657 ⁵

Vociferous, aggressively-edited party journals—the *Pioneer* of Fitchburg, Massachusetts; the *Comrade* of Astoria, Oregon; and the *Worker* of Hancock, Michigan—challenged capitalism with an unceasing barrage of provocative slogans: “Fraternity! Freedom! Equality! Proletariat unite! Labor is the source of all wealth! Knowledge is power! Solidarity is strength!”

Near Duluth, Minnesota, stood a yeasty ideological citadel. The Socialists had rescued a so-called People’s College from the “men of darkness” in 1907, and added the significant word “Work” to its title. Of course, the losers—a group of Finnish Lutherans—took a dim view of the developments; one of their leaders wrote: “My pen scarcely stays in my fingers when I reflect about the fate of our college.”

Modesty seldom gilds a new champion.

So it was with the Finnish immigrant Socialists. Heads swelled. An inner voice—not that of the Good Fairy surely—kept insisting that they had no peers as alert, active, and informed fighters for social justice. Pity, tinged with scorn, was manifested toward those who in their stupidity had not learned of the new salvation:

If they but knew, the wretches,
The slaves led like children,
If they knew what freedom is,
If they could but taste it,
Like a swift torrent of water,
They would rush forward,
Moving mountains from their path.⁶

It became easy for the immigrants to find fault with both the Old Country and the American Socialist movements and hard for them to observe the mote in their own eyes or to confess that their comrades in Finland and the United States had contributed to their success.

⁵J. A. Partanen, “Hieman numeroita S. S. järjestöstä,” *Tietokäsikirja 1913 Amerikan Suomalaisille*, 208-16 (Fitchburg, 1913), presents a detailed review of the movement’s condition in 1913.

⁶Aku Paivio, *Kokoelma runoja*, 37 (Fitchburg, Massachusetts, 1912).

The Socialist movement on the other side of the ocean, recklessly charged the immigrants, was hopelessly provincial. Tenant leases, garden patches for the cottagers, and other backyard issues—these seemed to be the chief concern of the Old World leaders.

The Finnish-Americans were men of a loftier breed. One of the prominent immigrants declared:

The soul of the immigrant is too large to permit him ever to become enthusiastic about the small concerns that take up much of the time of the Old Country Socialists. The Finnish-American Socialist has completed his class-struggle course in the school of Morgan and Rockefeller. Whether the struggle is on the trade union or political front, he is always opposed by a billion dollar Capital, which is well organized in trusts and is supported by its hired courts, congress, and state legislatures. Every petty aspiration and demand is gone from the worker's soul in a country where the workingclass is confronted at every step by the all-powerful might of a world-dominant Capitalism.

In America—the great melting pot of peoples—the workingclass movement must perforce be international. The immigrant is a cosmopolite in the true meaning of the word; he carries in the recesses of his soul two worlds: the old and the new. He cannot for a moment think of freeing America from Capitalist oppression without at the same time thinking of Europe's delivery.⁷

To make matters worse, the Old Country Socialists, the immigrants often complained, refused to accept the guidance of their brethren who returned to Finland after eye-opening stays in the New World. "The masters of the Old Country Socialist movement had little use for us Finnish-American Socialists," angrily exclaimed a newspaperman after getting back to the states.

We were dismissed with the insinuation, "Ah, yes, they are those Americans, who stick their noses into every corner, criticizing matters about which they know nothing." It was clear that their advice to us was: "Brother, you may leave; you don't belong with us." Little wonder that the returned emigrant, experiencing this cold indifference, this stupid contempt, feels bitter disappointment tearing at his soul.⁸

Such forthright criticism invited retaliation, and, as a matter of

⁷The statement was made by Aku Rissanen, who returned to the United States in 1906 or 1907 after a short and uncomfortable sojourn in the Old Country. It was published in either the *Koyhaliston Nuija* or *Sakenia*.

⁸A short article written by Aku Rissanen and published in one of the Finnish-American periodicals around 1907 or 1908. The writer is unable to verify this citation since his files are stored in Ohio and he at present is in New York.

fact, not many visitors from the Old Country resisted the temptation to indulge in some faultfinding of their own. One of them observed pointedly that the Finnish-American Socialist committees limped badly from lack of adequate authority; that elections and referenda were held almost every other week; that discipline was hard to secure. He asserted that the word *discipline*:

has become a symbol of horror to the immigrants, who almost without exception believe that they must enjoy perfect freedom in Freedom's Land; they have had, as they say, enough of discipline and submission at the hands of the Old Country clergy, officials, and aristocracy.⁹

The comments of another Social Democrat were far more pungent:

Nowhere in the world are newspaper columns filled with such torrents of official, semiofficial, and unofficial resolutions, proclamations, statements, and records of the local chapters, committees, boards, individuals, and groups, in perpetual conflict with one another, nagging, splitting hairs, bickering, arguing, and ending where they began—in inextricable confusion.¹⁰

Name-calling tended to obscure the reciprocal influences operating between the two movements.

Immigrant Socialism was for many years a child of the Old Country. Both its content and its leadership came from Finland. As the new gospel's first apostle testified: "Socialism with us is a kind of immigrant baggage. All the prominent workers in the Socialist vineyard are Old Country Socialists."¹¹

Such, indeed, was the case in the seven years from 1898 on, when the despotic policies of a group of fanatical Russophiles, headed by Nikolai Bobrikov, the hated governor-general of Finland from 1898 to 1904, drove many able and ardent Socialists, among them Alfred F. Tanner, Vihtori Kosonen, Taavi Tainio, and Eetu Salin, to the safety of the New World. These men quickly realized "where the Finnish-American movement should go and what it had to do." As editors, speakers, and organizers they carried on a militant propaganda campaign that secured their objectives late in 1904; the

⁹*Työväen Kalenteri*, 6:165 (Hancock, 1915). See also *Köyhälistön Nuija*, 3:22-28 (Hancock, 1909), and *Työmies Kymmenvuotias*, 64.

¹⁰*Säkeniä*, VIII, 144-49 (March, 1914).

¹¹The apostle tells his story in "Silmäys taaksepäin," *Työväen Kalenteri*, 1:96-106 (Hancock, 1904).

ideologically-muddled immigrant working-class movement was clothed in a single-hued, crimson garb; it was given a monotonous class-struggle voice; it was led to the altar where the American Socialist Party waited for its first foreign-language bride.

While some of these *émigré* Socialists returned to the homeland when freer winds began to blow there in 1905-6, the Old Country's influence upon the immigrant movement continued unabated. For one thing, the character of emigration was changing: an increased proportion of emigrants now came from the cities of Finland, where they had been in contact with the swiftly-rising Socialist movement. Like their predecessors, these Marxist replacements found important niches for themselves in the immigrant movement.

In addition, a steady and voluminous stream of books, pamphlets, and newspapers flowed from Finland's busy working-class presses to the reading-rooms of the immigrant halls and the desks of journalists and organizers, from where their contents quickly spilled out among a large constituency. Interest in Old Country developments ran high; the immigrants avidly read about the Social Democratic party's rise to power—its first congress at Turku in 1899; its amazing victory of eighty seats in the first elections to the new unicameral diet in 1907; its fight for life when the long-suffering fatherland was put back into the straitjacket of Russian oppression around 1908. Justifiably the immigrants declared: "We follow with great interest the struggle which our Finnish comrades are waging and about which many of us have fresh memories as participants."

As a consequence, many immigrants were more familiar with, and better grounded in, the Finnish and European varieties of Socialism than the American. They found themselves looking to the Old World for modes of action, for answers to problems that were peculiarly American.

It must be added that the Finnish Socialists in the eastern United States were consistently more sensitive to these Old Country influences than their comrades in the Middle West and the Mountain States. This is revealed, for example, in the outcome of the acrimonious dispute over industrial unionism that plagued the Finnish Socialist Federation from its birth on and was responsible for a major schism in 1914. In the central and western districts the Socialists lost thirty-eight locals with a combined membership of

nearly thirty-five hundred to the radical supporters of industrial unionism—about one half of the federation's strength in these regions. However, this should not be construed as an ideological victory *per se*. As a matter of fact, many immigrants had never read the constitution of the Industrial Workers of the World. They did know, on the other hand, that the Western Federation of Miners had badly mismanaged the crucial Mesabi and copper strikes; they felt the unrelenting barbarity of the steel trust and the Boston copper magnates. In utter desperation they turned to what seemed to be their last hope for an early victory—the one big union.¹²

Losses in the East, in contrast, were negligible. To be sure, other powerful factors joined the influences coming from across the Atlantic Ocean to keep the eastern section of the immigrant Socialist movement free from syndicalist discord. In the East to a much greater degree than elsewhere the settlers were recent arrivals, urban in origin, and skilled workers, who accepted the old-line trade unions as a matter of course. At Fitchburg was an influential champion of orthodoxy and caution, the daily *Pioneer*. One of its editors, attempting to land a knockout blow, asserted, I have read Marx's *Das Kapital* through six times, and I haven't found anything in it about industrial unionism."¹³

This interest in Old Country Socialism, which perhaps in extreme cases approximated a kind of thrallodom, was not to the advantage of the American party. As a well-informed author of a recent study of the Finnish-American working-class movement points out:

The development of the American Socialism movement, especially in its search for best forms of procedure, suffered from the incontestable fact that the foreign born . . . lived in so many ways under the influence of their old homelands, from which they sought guidance.¹⁴

In contrast, American influences bearing upon the Old Country movement were slight. While the Finnish immigrants frequently extended moral and financial support to their comrades across the sea—in 1910, for example, they raised \$3,500 for a Fight for

¹²There is no satisfactory study dealing exclusively with Finnish-American syndicalism. Santeri Nuorteva has a short sketch in the appendix of John Spargo's *Syndikalismi, Teollisuusunionismi ja Sosialismi* (Fitchburg, 1914). See also David J. Saposs. *Left Wing Unionism. A Study of Radical Policies and Tactics*, 139-42 (New York, 1926).

¹³*Raivaaja 10 Vuotta*, 63 (Fitchburg, 1915).

¹⁴Sulkanen, *Amerikan Suomalaisen Työväenliikkeen Historia*, 55.

Finland's Freedom Fund—these gestures did not perceptibly affect the development of the Old Country movement.

On the other hand, it is quite probable that among the Socialists returning to the fatherland were some whose patterns of thought and action had been modified by their sojourn in the New World. Although regrettably scattered and fragmentary, the evidence is suggestive. For example, the activity of a number of Social Democratic chapters was energized by an unmistakable American tempo. Fever spots identifiable as midwestern radicalism were observable here and there, introduced by individuals who, like Kaapo Murros, had been enraptured by Haywoodian doctrines. Residence in the Land of Freedom often loosened vocal cords. Many a Yankee, forgetting that a Russian-censored Finland was not America, found himself betrayed by his tongue; Eetu Salin, for one, spent two years in prison shortly after his return from America.¹⁵

Old Country conditions and attitudes, however, stood in the way of any widespread or lasting impress. A general suspicion of the American labor movement; reluctance to accept even class-struggle Prodigal Sons on equal terms (the latter, by the way, sometimes insisted on preferential treatment because of their American "schooling" and this didn't help matters any); the cautious and circumscribed role that the Social Democratic party was compelled to adopt during the years of Russian pressure—these rather effectively stifled impulses emanating from the United States.

Eugene V. Debs, leader of the American Socialist movement, was idolized by the Finnish immigrants. One of the crowd on hand to greet the *Red Special* as it pulled into Hancock in September, 1908, later recalled, "No train whistle ever sounded more melodious, more promising. It was like music, a song of praise to our presidential candidate."

Deb's performance at a rally that evening was masterful. One immigrant was moved to lavish praise. He wrote:

He is a speaker without a peer, personally charming, magnetic. As he spoke, he moved about like a graceful actor. His voice was flexible and

¹⁵See, for example, the comments on Finnish-American Socialists who returned to the Old Country in Y. K. Laine, *Suomen Poliittisen Työväen Liikkeen Historia* (Helsinki, 1947); Väinö Tanner, *Nuorukainen Etsii Sijansa Yhteiskunnassa* 306-7 (Helsinki, 1948); Mikko Ampuja, *Pajasta Parlamenttiin*, 90 (Helsinki, 1947).

obedient, following every intonation of his words. Sometimes it promised, then it defied, assuaged, condemned. All the while his gesturing hands emphasized his arguments. Never has Hancock heard such a speech on the conflict of Capital and Labor. So clear and simple, yet so unflinching. Great, indeed, was the occasion—and deathless the impression he left on his listeners.¹⁶

The party of Debs, on the other hand, was sometimes treated far less generously. "One is amazed at the poverty of the Socialist party's program," reported a delegate returning from a national convention. "All it has is a few nice phrases. There is a rumor to the effect that its drafting was entrusted to a clergyman, who scribbled something and put it together in this or that office."

"Their organization is wretched," complained another immigrant.

The party's speakers regard themselves as important lords; it's impossible to move them without paying a fee of several hundred dollars. The party's press is swamped with unnecessary workers; for example, Wayland and his *Appeal to Reason* has an army as large as that of the Tsar of Russia. All in all, it's like pouring water down a stove pipe. There aren't any practical results.¹⁷

There were other censures, originating for the most part in the left wing of the immigrant movement. The Americans spent most of their time in electioneering and in armchair philosophizing about abstract economic issues; a handful of self-seeking politicians was virtually in control of the party machinery; loyalty to the class struggle was distressingly weak, especially among the journalists, who thought nothing of writing for the capitalist press. "A heinous crime!" shouted the radicals. "Class lines must be kept distinct!"

The American Socialists, acting like the average run of human beings, returned the compliments. The immigrants were accused of indifference toward the national movement.

You Finns have your own halls, newspapers, and organizations. You're reluctant to break the shell of your comfortable little world, and you take refuge in the pretext, "We must first make Socialists of our immigrants, we cannot expect them to join American locals for a long time."¹⁸

¹⁶*Työmies* 40-vuotias, 1903-1943, 73-75 (Superior, Wisconsin, 1943).

¹⁷The views in this and the preceding paragraphs were expressed at the Hibbing, Minnesota, meeting of the Finnish Socialist Federation in 1906. See its *Pöytäkirja* (Proceedings), 95, 130. Similar sentiments are revealed in *Köyhäläisten Nuija*, 1:50-51 (1907).

¹⁸*Pöytäkirja* (Proceedings) of the 1912 meeting of the Finnish Socialist Federation at Smithville, Minnesota, 200. See also Arne Halonen, "The Role

Obviously not all was well in the relations between the two.

For a time following October, 1904, when the immigrants, under the constant prodding of Old Country Socialists, voted to join the American party, hopes for close and fruitful cooperation were high. A relatively small, floundering, and motley immigrant movement, it was expected, would shortly become an integral part of an united and mighty Socialist army. From the Americans would come discipline, uniformity, and direction: a constitution, bylaws, a national program. Confidently the Finns looked ahead; their leaders reassured them, "Now the Finnish-American working-class movement is on the right road; now we can sit down on the benches of men."

There was, to be sure, some ineffectual opposition from those who wanted to keep the immigrant movement free from any outside associations. "The Finns in America," argued one of the dissenters, are so few in number in comparison to the other nationalities that they cannot influence in any way either the program or the practices of the Socialist Party. These will always be determined by the larger groups. The Finns will be merely an insignificant extension of the tail.¹⁹

In large measure the prophecy was fulfilled. The immigrants, for example, suggested that the party program be strengthened by adding planks on cooperatives, temperance, and women's rights, and proposed that the Socialists concentrate on the building of visible symbols of working-class solidarity, such as municipally-owned water plants and apartments on the Vienna model. "In party headquarters," to cite the opinion of a Finnish-American writer, "the voice of the Finnish members was very little heard."²⁰

Beyond this, the foreign-language federation arrangement seemed unable to bring about any kind of organic unity between the American and immigrant groups. For the most part the rank and file lived in separate worlds.

It must be admitted that the Finns generally were not eager to break down the separating barriers. Learning the English language seemed an insuperable difficulty; many took the easier road of trying to get along with their mother tongue. When nationalistic considerations clashed, as they sometimes did, with obligations accruing

of Finnish-Americans in the Political Labor Movement," 61, M.A. thesis, University of Minnesota, 1945.

¹⁹New York Amerikan *Työmies*, February 27, March 20, 1900.

²⁰Halonen, "The Role of Finnish-Americans," 3.

from membership in the American party, it was the latter that yielded. Finally, the Socialists, as well as other immigrants, manifested a deep-rooted longing—which their leaders did not always take sufficiently into their calculations—to live by themselves, to work out their destinies free from interference and with a minimum of external responsibilities.

The isolation of the Finnish immigrant Socialists, however, suffered from a fatal defect: it was not complete. The Finnish Socialist Federation's tie-up with the American party, though loosely organized, was nonetheless close enough to allow every storm (they came in dizzying succession) and every rupture in the American movement to be transferred, after a short time lag, to the immigrant arena. Verily, how the war drums thundered and the swords clanged as Finns fought Finns over issues not of their making—industrial unionism before the first war, Communism afterward. As a result, the once-impressive immigrant working-class movement for decades has been a hopelessly mangled, divided, dying force.

Not a few battle-scarred survivors are toying with the conclusion that the immigrants paid a heavy price for what few blessings came to them by way of the American movement. Perhaps the other road—their troubled consciences whisper—that of an independent immigrant movement, not seeking to remake the social order but merely to minister to the daily needs of Finns placed by fate in a strange and often hostile world, would have been a wiser choice.

Other veterans refuse to take consolation in the rearranging of history. In their opinion, the immigrant working-class movement really had no alternative to throwing in its lot with the American Socialist Party—win or lose.

Whatever the record of Finnish-American Socialism as a political movement, it has assured for itself a distinguished epitaph by its cultural and educational achievements. But that, of course, is another story.

Notes and Documents

HORSES AND MEMORIES

Coe Hayne

THE ARTICLE IN THE DECEMBER 1951 ISSUE OF *Michigan History* concerning trotting horses at Kalamazoo greatly interested me because I have a fondness for good horses, having handled a few (not racers), and because I attended Kalamazoo College.¹

The writer referred to the bank robbery in Richland as an outstanding occurrence in his memory that made first page headlines in "two evening papers, the *Gazette* and the *Telegraph*." At that time the *Gazette* was a morning publication. The second evening newspaper was the Kalamazoo *Evening News*. It ran a comparatively brief but honorable course in an advocacy of William J. Bryan's "sixteen-to-one" program (whatever that was). May the good spirit of Fred Stone forgive me if this is a mistake. Fred Stone was the managing editor and Will Chaddock, of old-time St. Joseph family connections, the city editor.

I started working on the *News* as a reporter of college news at \$6.00 a week almost on the day of its establishment, having shifted from the *Telegraph*.

The way I secured a place on the *Telegraph* was somewhat fortuitous. I was alone in the dormitory room of my brother, Paul, whose roommate was Leon Reed, when a messenger from the *Telegraph* entered and said that he was looking for Reed. We carried on a desultory conversation for a time while we waited for Reed. The messenger finally announced that he was in a hurry and asked me how I would like to become the college reporter for the *Telegraph*. I told him that I would take the job, smothering the fact that I had just entered the school as a third-year prep.

Reed graduated from college the following June and later became a distinguished political editor and writer on one of the top news-

¹Coe Hayne graduated from Kalamazoo College in 1899. In 1932 he was awarded an honorary doctor of letters degree.

papers in St. Louis. Upon his death recently, he bequeathed to Kalamazoo College a valuable collection of documents. His absence from his room that night was a contributing factor in the set of my own lifework, namely, historical and research secretary in the field of home missions for my denomination, American Baptist, until my retirement in 1944.

Leon W. Miller in his article, "Horses and Horse Racing in Kalamazoo," intimated that the news of the Richland bank robbery made a lasting impression upon his youthful mind. It was, indeed, one of the big news breaks during the summer of 1898.² At that time I had secured employment on the *News*.

One morning during my initial rounds about the city as a cub reporter to find out what was doing, I picked up the report at the sheriff's office concerning the bank robbery of the night before. Hurrying back to the newsroom of my paper, cublike, I fairly was bursting with the importance of the news. I requested that I be sent to Richland at once. The city editor sent me to Fred Stone who interpreted my bubbling assurance as the enthusiasm of an uninitiate and rather reluctantly gave his consent. As it turned out, the Richland bank robbery proved to be the leading news break of the day.

To cover this assignment I used as a means of transportation my bicycle, a *White Flyer*, of which I was extremely proud. I had obtained the beautiful machine by getting Seth Axtell (of blessed memory) to cosign a note to be negotiated at a local bank. He made the transaction seem plausible by saying that a news reporter certainly should be able to get around quickly.

On the way to Richland, I met the reporter for the *Telegraph* riding at ease behind one of Kalamazoo's high-steppers. He was returning to Kalamazoo with the material for the headlines in the rival newspaper.

²The Detroit *Free Press* in its issue of Saturday, August 5, 1898, gave a lengthy report of the robbery. Bold headlines described how the robbers blew the safe at the Union Bank at Richland and escaped with between \$5000 and \$7000 in cash and about \$46,000 in notes. The people heard three explosions between three and four in the morning and saw five or six men run across the park to a handcar on the Cincinnati, Jackson and Mackinaw tracks, and to a horse and carriage. They left their drills and chisels in the bank. The townspeople were so surprised they did not give the alarm until a half hour had passed. Meanwhile, the robbers escaped from the town.

UPPER MICHIGAN MUSEUM AND HISTORIC SITE SURVEY

Alexis A. Praus

ALEXIS PRAUS, DIRECTOR OF THE KALAMAZOO PUBLIC MUSEUM and president of the Historical Society of Michigan, was designated by the Historical Commission to serve as an advisor to the Department of Conservation in selecting and preparing the material put on exhibit in one of the officers quarters at Fort Wilkins. At the same time the Department of Conservation asked Mr. Praus and the writer to examine the lumbering museum and the memorial to Colonel Hartwick at Hartwick Pines State Park.

In making his report, Mr. Praus did not confine himself to comments on the two state parks. His reaction on historical museums and other activity is that of a trained archaeologist and museum director and hence should be of interest to readers of MICHIGAN HISTORY.

Lewis Beeson

IT IS VERY EVIDENT THAT THERE IS AN EXPANDING INTEREST IN history throughout the upper portion of Michigan, particularly in the Upper Peninsula. The fact that several commercial enterprises are based on the exploitation of Michigan's past is indicative of the growing recognition that the traveling public desires, enjoys, and is willing to pay for, a glimpse of yesterday. As can be expected, most of the visited commercial museums reflect the fact that they are conceived, executed, and staffed by nonprofessional individuals. Museums and Michigan history, however, are without doubt a definite and, as yet, almost untapped tourist attraction for the Upper Peninsula. Even a cursory examination of current efforts to make state history pay monetary dividends makes it plain that caution must be exercised in order that it be placed on a firm foundation of fact as well as imaginative and well-conceived interpretation.

For obvious reasons, no pressure can be applied upon private enterprise and its treatment of history, historic materials, and historic sites. It should be stated at this point, however, that personnel of

all existing, partially completed, and planned museums demonstrated a genuine receptiveness for assistance and guidance. State agencies can and should avail themselves of existing organizations devoted to the preservation and interpretation of Michigan history. The Department of Conservation is to be commended for seeking the advice of the Michigan Historical Commission in order to assure accuracy of facts and maintenance of professional standards at such historic sites as Fort Wilkins. A disregard of historical truth and its honest portrayal will ultimately lead to a disintegration in the interest now shown in Michigan's cultural heritage.

It is little known that Sault Ste Marie was settled soon after the Pilgrims landed on the Plymouth Rock and consequently has a long, honorable, interesting, and even exciting past. Little consciousness of this can be seen in the city itself. An Egyptian obelisk (Marquette monument), a Japanese torii (at the entrance to the park at the Soo Locks), and a bronze casting of Romulus and Remus are mute testimony of a slavish and unnecessary dependency upon cultural symbols and forms from foreign lands.

It is within the power of the Department of Conservation to help establish Michigan's rightful historical inheritance and to assist in the realization of the tourist potential of the Upper Peninsula by fully utilizing and developing those existing sites and museums already under its control.

Since the Upper Peninsula is not a general through route of travel, the touring public must be encouraged to enter its domain to view its endowments by nature, evidence of past events and industries, and to utilize its resorts and facilities.

A network of historic sites, strategically located at spaced intervals and in a defined circuit of travel, would materially assist in increasing an already large volume of visitors. Though this survey was made just prior to the tourist season, sizable numbers of people were already in evidence in state parks, commercial museums, and scenic places.

It was noted that the site-marking program in the Keweenaw Peninsula is immensely successful since a large proportion of traveling people do stop and read the posted information. It demonstrates, in any case, a hunger for information by the contemporary explorer.

The following sites and museums visited in the course of the survey can be visualized as some of the stops in a grand tour of upper Michigan.

Epoufette. A fishing village, like this one, twenty-eight miles west of St. Ignace, could easily be developed as an outdoor museum. Fishing has been, and is, vital to the economy of upper Michigan. A presentation of its importance, its tools, and its techniques would prove of immense interest to the public.

Lime kilns near Manistique. The remains of imposing lime kilns, just east of Manistique and almost on highway US-2, no doubt, stimulate a lot of curiosity in the minds of the many viewers who see them every year. A marking program, here and at other sites, would satisfy the inquisitive and would stimulate interest and disseminate information on industries and events that made Michigan a leading state.

Fayette. The ghost town of Fayette and its relics of former smelting activities are ideally located as a haven for the summer refugee from the southern portion of Michigan and elsewhere. Its bay, limestone cliffs, fishing boats, and kilns are picturesque and have universal appeal. It is to be hoped that any development of this former village will include the preservation of its historic landmarks.

Nahma. Nahma is a village recently purchased by the American Playground Device Company. This company plans to manufacture playground equipment and to exploit its beach and scenic surroundings by renting cabins and providing concomitant facilities. A lumbering museum, a sawdust burner (the last in Michigan?), narrow gage railroad engines, big wheels, and the like, are planned at great expense as a tourist attraction. This is another example of the faith in the public's decided interest in the history of Michigan and its expression via the museum.

Fort Wilkins. This fort is one of the outstanding state parks. Reconstruction and repair have been done with care and evident regard for historical veracity. State personnel met at the site were all helpful, courteous, and dedicated to public service. Maintenance of buildings and grounds is of the highest order while the marking of historic facts is satisfactory.

The work of Mrs. Carroll Paul in equipping one building has demonstrated that furnishings can transform silent and almost mean-

ingless rooms into rooms that literally speak for themselves and are full of associations for the visitor. It would seem to the writer that 1846, the first date that the fort was vacated, should be pegged as the time limit beyond which no items should be displayed. This is arbitrary in view of the fact that the fort was reoccupied and in use until August 31, 1870. The earlier date of occupancy is suggested in view of the fact that the original function of this military establishment was carried out at that time and that the later Victorian era is not as interesting or as historically pertinent. There are several things currently on display that post date even 1870. These should be slowly but steadily replaced by appropriate items. In the meantime, they serve as a base of operations.

In developing exhibits for buildings in the fort, definite policies of acquisition (loan, gift, and purchase), cataloging, insurance, refinishing of furniture should be formulated. Once open to the public, many items will be tendered as gifts and loans, and it will be well to be prepared in advance to face the problems involved. Over-crowding of materials, duplication, and irrelevant exhibits should be conscientiously avoided at all costs. It would be well to define a philosophy, in writing, concerning what is to be done and particularly why it is to be accomplished. This will serve as a guidepost for those who participate in the project and will help those in charge to maintain an integrated goal. Once defined, it is imperative that adherence to the philosophy be maintained in order that the contents of Fort Wilkins do not evolve into an accumulation of unrelated, nonsignificant hodge-podge of relics and so-called antiques. Labeling, of course, is to be carried out with the presupposition that each visitor knows nothing and must be adequately informed in as few words as possible. Guide service can be anticipated as a future activity.

The already existing museum at the fort carries its own high recommendation. It is well conceived, methodically arranged, and sufficiently labeled, with the exception that several visitors expressed frustration in not knowing the name or function of several items on free display that is, not in cases. This situation can be easily rectified. Crowding cannot be avoided due to limited space.

Mrs. Paul is to be congratulated for her unselfish dedication to the cultural welfare of the Upper Peninsula. There is no doubt that

her work at Fort Wilkins enhances its interest to the public and gives it a voice that the visitors comprehend and increases its general impact many times over.

Grand Island. Local history in terms of a log cabin, a trading post, a stockade, an Indian burial ground, a sap house, and the Old Orchard, is exploited as a lure to attract and hold the summer sojourner on the island. An effort should be made to preserve the trading post in particular since it is unique and irreplaceable. At the moment, it is safe, but its ultimate conservation should be considered. Spelunking and archaeological explorations could be engaged in by the state colleges with a benefit to knowledge, Grand Island in particular, and the Upper Peninsula in general. A permanent museum at an archaeological site involving such displays as burials *in situ* are a guarantee of perpetual public interest.

Indian Cemetery in the vicinity of Brimley. This Chippewa Indian graveyard, properly maintained, protected, and interpreted, would prove of immense interest to the traveler in the Upper Peninsula. These graves and their wooden superstructures are unique and can be seen in but very few places.

Sault Ste Marie. Sault Ste Marie has enough history, as well as the locks, to satisfy the person looking for fact, local color, boat and scenic trips. The museum of the Chippewa County Historical Society and the John Johnston House, the oldest house in Michigan, are two local attractions that should be brought more forcibly to the attention of visitors to the Soo. A thirty-foot diorama of Sault Ste Marie, *circa* 1840, costing \$30,000 to \$35,000 is being constructed as an investment in the tourist trade. It is another manifestation of the realization that Michigan history can and does pay dividends.

Drummond Island. Old Fort Drummond can be considered as a potential anchor point in a circuit tour of the Upper Peninsula. At the moment there is little to bring people to the area unless they are staying at specific resorts or their own cottages. The reconstruction of this fort and the creation of a museum would materially aid the region in general and Drummond Island in particular. If properly financed, there is no reason to believe that the fort could not be easily rebuilt along lines of its original construction. An interview with the present owner has elicited the fact that she is not interested in having the fort open to the public in view of

personal attachment to the site plus a desire for privacy. Though currently safe for posterity, its future preservation should be made a matter of grave concern.

St. Ignace. St. Ignace is primarily a point of entrance and exit and must therefore be traversed by every traveler to and from southern Michigan. It does, however, have a historic feature of great note; namely, Father Marquette's burial place.

Mackinac Island. Very few of the many points of interest were visited on this island. Careful note, however, was made of the fort and particularly the fort museum. The latter is poorly prepared to present the history of the region in which it is located. This is surprising in view of the high general standards prevailing on the island in general. The fort museum should be devoted exclusively to the presentation of the history of Mackinac Island. Instead, it is an unlabelled conglomeration of miscellanea from many wars and many places. The interior of the museum requires repair and decoration while the need for new cases, better lighting and minor alterations is obvious. The principal task to be faced is a definition of purpose, culling of contents to exclude any not related to Mackinac Island history, labeling, guide service, publication of island history, and a formulation of general policies of acquisition, disposal, storage, and protection of collections. From the standpoint of museum aims and ideals, the Mackinac Island city museum presents itself in better light than does the one under consideration. Even though the fort museum is in dire need of reorganization, it must be remembered that a museum in any condition is better than none. In any case, it would not be difficult, nor too costly, to place the Mackinac Fort Museum on a professional level.

Teysen's Indian Museum. This privately owned museum, open free to the public, is overtly operated as an attraction to lure the traveler into a combined cafeteria and curio mart. Totem poles of the northwest coast, ubiquitous in the Upper Peninsula, are here in first evidence as a foreign adaptation to create atmosphere. Any atmosphere based on false premises cannot lead to a permanent cultural development and economic betterment of any area.

Michilimackinac State Park. Michilimackinac State Park is a hollow shell and will never be of much interest until it has something to show other than a reconstructed fortification. The fortification

itself is under suspicion of historical inaccuracy. The fort is reminiscent of a book with covers but no contents. Exhibits, labels, guide service, would breathe life into an otherwise lifeless and static reconstruction. The Civil War cannon within its grounds should be removed at the earliest possible time.

Hartwick Pines State Park. In the writer's opinion, Hartwick Pines State Park is a decided credit to the state. It is also his opinion that this park is not publicized sufficiently, at least in the immediate vicinity, if statewide. No evidences on highway US-27 were to be seen which would give a clue to its contents. There can be little doubt that adequate signs outside the park area, on the main highway, would attract a larger number of visitors. The logging exhibit was a particularly pleasant surprise. The display in question has one obvious need: exhibit labels. Though the stay at this museum was short, no glaring anachronisms were to be seen among its collections. Also, no great overcrowding or deterioration of any particular materials was observed. Upkeep of grounds, museum buildings and collections is in best order. Future activity at this museum, activity that would enhance its force, scope, and influence, should include labeling, guide service to explain its contents (if not already done), demonstrations in the use of the big wheel, forge, as well as explanations of logging terms and technology.

The Hartwick Memorial Lodge is in need of some minor, but basic, alterations in exhibit techniques. For one thing, adequate labeling is called for. All items on display which are connected with the late Edward E. Hartwick should be placed together, and the whole should be arranged in chronological sequence. Photographs on lumbering and of people important in its development in the area should be removed from the lodge and added to collections at the museum devoted to that subject.

In conclusion, it must be said that the economic development of the Upper Peninsula, in terms of the tourist trade, ultimately depends upon an intelligent and well-planned exploitation of Michigan's history, both human and natural. A conscious effort by all state departments to interpret the many phases of northern Michigan will serve to better the region in cultural and economic ways. The American on wheels is looking for interesting places to visit. Why not the Upper Peninsula?

THE EXHIBIT IN THE OFFICERS QUARTERS AT FORT WILKINS

Mrs. Carroll Paul

THE GENERAL IDEA BACK OF THE SELECTION of the material for the setting up of the officers quarters at Fort Wilkins was to show how it might have looked when Captain William Alburtus, his wife, and his sister-in-law (the ill-fated Fanny Hooe), came up from Texas to build and occupy Fort Wilkins in 1844.

In the large square parlor we find a settee of mahogany veneer, which was very much in vogue about 1840, with a lampstand on one side of it and a table bearing a big family Bible on the other. This settee was brought out to Michigan by Orville Conklin, whose son, George, came to Marquette in 1873, conducted a successful jewelry and china store for more than fifty years, and died a few years ago in his nineties.

The desk that stands between the windows is of late eighteenth century workmanship. It is the gift of Theodore McGraw of Grosse Pointe, a great grandson of Alexander McGraw of Detroit. McGraw ran a wholesale shoe business there in the 1870's and sold his goods to traders like Peter Barbeau of Sault Ste Marie, and James Pendill of Marquette.

The parlor stove, set with green tile and furnished with curved sliding cast-iron doors, came from an attic in Marquette as a gift from Mrs. James E. Jopling, who is now over eighty years old. She was, before her marriage, Elizabeth Mather, a cousin of William G. Mather of Cleveland, who, for so many years, was president of the Cleveland-Cliffs Iron Company. Mrs. Jopling said the stove used to stand in the parlor of her grandfather, Dr. Morgan L. Hewitt, the first president of the Cleveland Iron Mining Company.

On the floor the threadbare oriental carpet came from Mrs. Harriet Oyster Lytle, originally from Pennsylvania. Her husband, Charles E. Lytle, was a prominent railroad man in the Upper Peninsula.

The fine old square piano came to the Copper Country in 1855. It was brought up by sailing vessel from "below," for the use of the young ladies in "Dad" Brockway's family. He is the missionary-

blacksmith for whom Brockway Mountain and Brockway Drive near Copper Harbor are named.

Above it hangs a steel engraving, famous in its day, illustrating how the missionaries of the Lake Superior country had to travel to their stations by canoe along the lake shore. This picture also came from an early pioneer family of Marquette—the James W. Wilkinsons, now scattered far and wide.¹

In a jar atop the stove stands a sheaf of paper spills fashioned from old letters, and used to light the gentlemen's pipes before the invention of matches. In front of the stove is a hearthrug depicting two spaniels, an old design of sentimental interest.

The parlor is designed to reflect the stiff and formal character of social life of the period. The smaller dining room behind it is not so prissy. The oval walnut table, with plain handmade chairs of the period, are, like the rag rug on the floor, of very simple design. So is the red tablecloth and the closet full of "flowing blue" china.

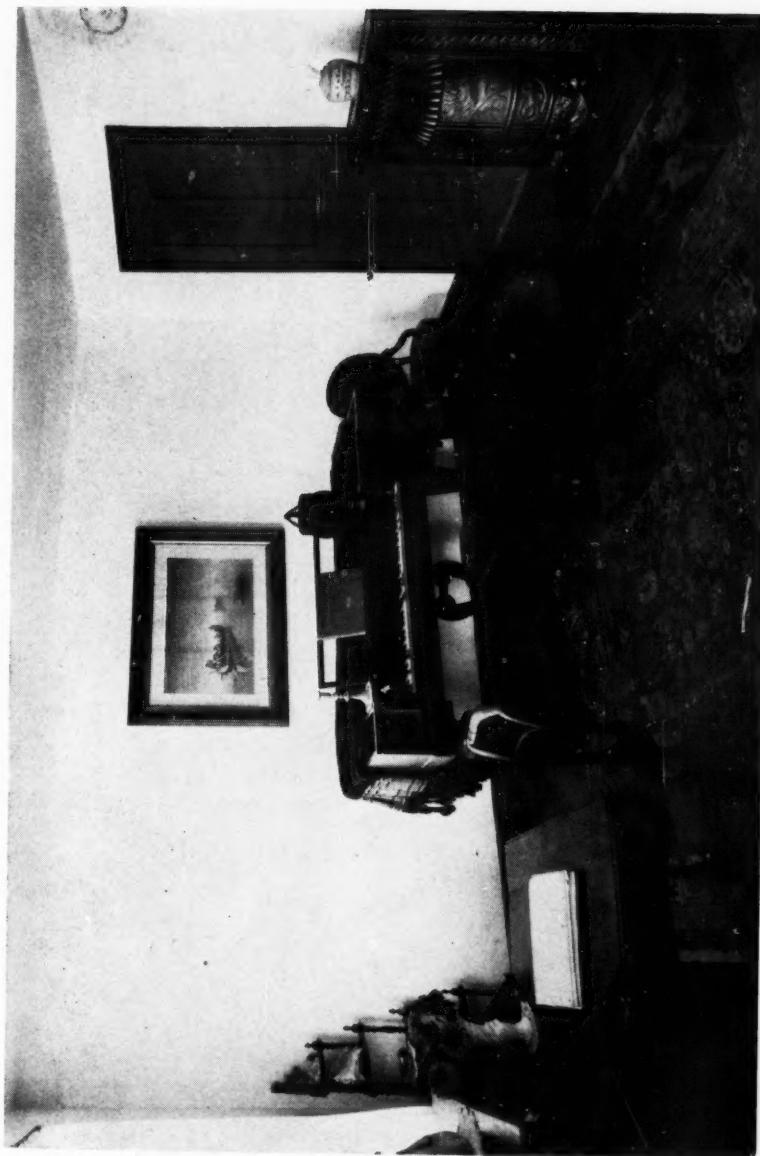
On the wall hang pictures of lads in uniforms of the Mexican War, and an old lady in a mutch cap; also an officer's dress sword inscribed, "To Captain Spaulding, 88th Ill. Vols., by his friends in Chicago, August 30th, 1862."

The chief ornament of this room, speaking historically, is a battered painting of the Hudson River school showing a tiny steam-boat, perhaps Robert Fulton's, between towering cliffs and toothpick trees. This painting, although unsigned, has an interesting history. It formerly belonged to the family of Peter White, the well-known banker of early Upper Peninsula fame, who came from New York state to Green Bay before 1845.

In the small back hall furnished to represent Captain Alburtus' office, the old pine desk formerly used by the town clerk of Negaunee, the ladder-back chairs from the office of Louis Pendill of Marquette, the sea chest, an heirloom from the estate of Captain John Bailey of the United States Engineers and the builder of Stannard Rock Lighthouse² and the old cell block of the Marquette

¹The Wilkinsons were all children of Mr. James M. Wilkinson, banker, school trustee, church warden, prominent civic worker in Marquette for many years before the turn of the century.

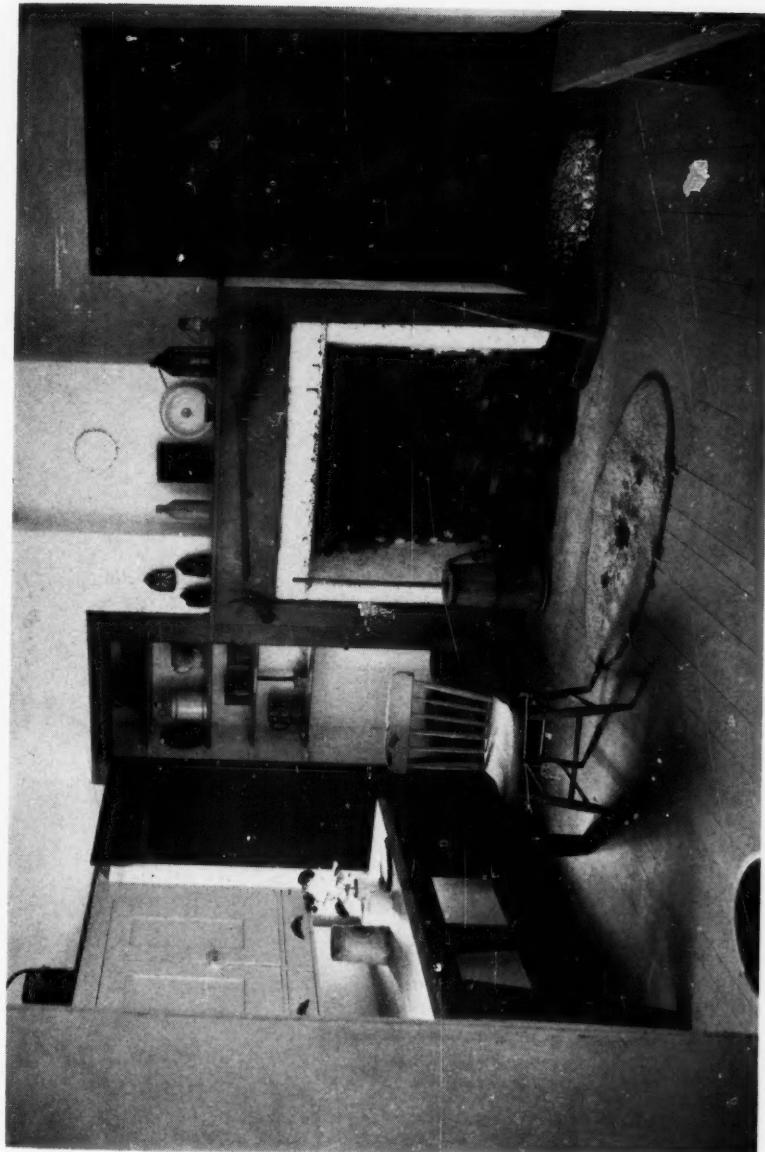
²Stannard Rock is spelled with two n's in *The Catalogue of Charts of the Great Lakes* (Detroit, 1937). It was discovered about 1845 and named for Captain Benjamin Stanard who had three sons, all captains on Lake Superior at that time, who all spelled their name with only one n.



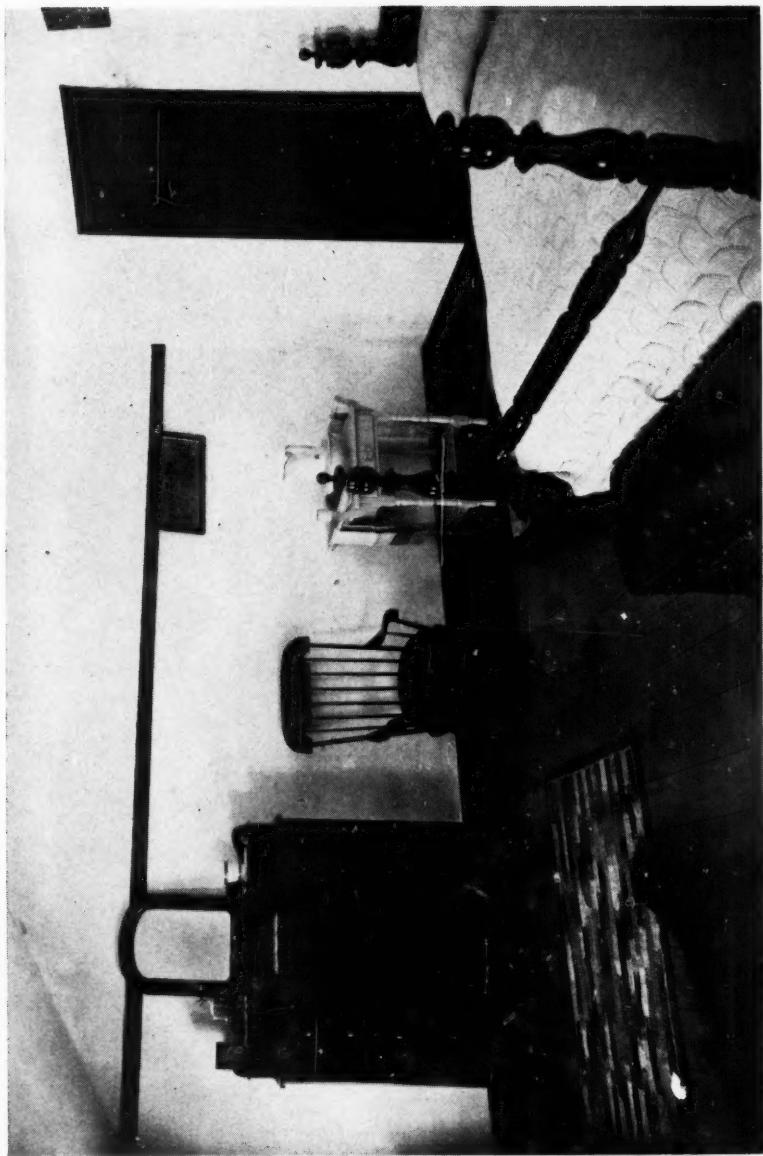
Courtesy of Barr, Lemon Studio



Courtesy of Bart, Lemon Studio



Courtesy of Bart, Lemon Studio



Courtesy of Bart, Lemon Studio

Prison—all these things together with the spittoon, the octagonal wall clock, and the candlesticks on the window ledge, emphasize the utilitarian character of the room.

Across one wall three identical doors stand in a row. One opens into the parlor, another into a long dark storage closet where winter supplies could be kept from freezing, and the third opened onto a narrow stairway leading to bedrooms upstairs.

It looks as if the men from Texas feared Indian raids and therefore tried to protect the stairs from assault as attackers might be baffled by three sets of doors. Even then, if they came up the stairs, the defenders above could strike anyone coming up before he could turn his weapon against them.

The remaining downstairs room, the kitchen with its open fireplace and crane, indicates hearthside cooking with no stove, sink, or icebox to help matters. Along one wall a low bench supports a row of old wooden keelers (buckets wider at the bottom than at the top) where the water supply, brought up from the lake with the help of a shoulder yoke, was stored. The crockery and utensils shown here are all of early design and hand manufacture, including the oval door mat of braided cornhusks—a modern reproduction from Williamsburg, Virginia.

The solid log walls of these officers quarters have no windows or doors except on the front and back. The downstairs openings are protected from attack by broad low windows on the second floor whose wide sills could in case of attack serve as rests for muskets, whose owners could lie flat on the floor while aiming and firing the heavy old flintlock guns of the period.

The narrow hall at the head of the stairs gives access to three bedrooms: one a large double room, another a long narrow room, and a third a small square chamber over the back hall.

The large bedroom, furnished as the sleeping quarters of Captain Alburtus and his wife, shows a heavy four-post double bed with a rope network holding up a large straw tick, over which is spread a knitted coverlid of shell design. At the foot of the bed is folded a pieced "log-cabin" quilt, made by a Mrs. Moses Longtine, a French Canadian lady living in Marquette in 1850, whose descendants still live there. At the foot of the bed stands a small leather traveling trunk, and on either side lie hooked rugs of gay patterns.

Against the far wall are three important and useful articles: first, the washstand with toilet articles of "tea leaf" ironstone ware and old linen towels; then the wooden armchair whose purple cushion and ruffle conceal a convenience much appreciated on cold winter nights; and next to that, a chest of drawers with a mirror and pin-cushion atop.

A bearskin on the floor near the windows came from the woods round the fort, like the birch-bark sewing basket on the windowsill, but the chintz covered rocker, with a shawl draped over the back and a footstool before it, came from somewhere "back East," like the Captain's lady.

As we turn from this door and walk down the hall past the stairwell, we can see into the small bedroom. This is fitted up for a baby, with a square crib, high chair, bedside table and a low rocker by the window. All these things came from family homes in the Upper Peninsula, as did the baby doll wrapped in a knitted shawl taking a nap in the crib.

The long narrow room which we come to last has been given a girlish character in honor of poor young Fanny Hooe, for whom the long narrow lake beside the stockaded fort outside is named. In this room a pine dresser with china ornaments, a low cot covered with a hand-woven coverlid topped by a ruffled pillow sham, a small carriage trunk, a rocker, and a pale blue Staffordshire toilet set carry out the impression conveyed by the rag doll in the doll buggy and the calèché-type of sunbonnet hanging on the wall.

All we know of young Fanny Hooe is that one day she went outside the stockade to gather berries and never was seen again. The story goes that they called and hunted for days but no trace of her was ever found save her old sunbonnet on the ground near the shore of the little lake. Her name, however, remains.

Captain Alburtus returned to the Texas frontier in 1846 and was killed by a cannonball at the siege of Chapultepec. Nothing more is known of the history of this family, so that we have to fill in the gaps as best we can with romantic speculation.

Here in this little house they lived more than a century ago. This is what it might have looked like—as we imagine it, and give substance to our imaginary household with objects in use, as far as we know, about that time.

The Mexican serape and the old bronze Spanish chocolate pot in the back hall could have been souvenirs of their Texas days. The copper specimen on the desk might have been picked up on a Keweenaw beach. The double-barreled shotgun in readiness over the kitchen fireplace (hung where the powder would keep dry) could have been caught up by the Captain as he took out the back door after a marauding bear. But the bears and the sunbonneted young ladies, the captains and the Indian chiefs, have all departed, leaving behind them nothing more than a few dusty written pages in forgotten books.

THE 1952 SESSION OF THE STATE LEGISLATURE

Vernon Beal

MEMBERS OF THE HISTORICAL SOCIETY OF MICHIGAN have an interest in legislative sessions as individual citizens. They also have a particular interest in legislation which tends to advance and foster the history of the state. For this reason we are publishing a resumé of some of the activities in the 1952 legislative session which may help our members to appreciate better how the legislature treats public matters concerning the history of the state.

The 1952 session of the Michigan legislature passed a law which is of importance in preserving historical material about our own state. This law, Act number 178 of the Public Acts of 1952, is the new state records management act. Many years ago the legislature made the Historical Commission responsible for the preservation of public records having historical value. However, it has been difficult for the Historical Commission to fulfill its responsibility because records of historical value in public offices are intermingled with records of no value. The needle has been lost in the haystack.

In order to preserve records of historical value it is necessary to perform an administrative job of records management which will control the movement of records from the typewriter to the waste-paper bale or to the archives. The task of records management has never been a function of the Historical Commission. Yet, this particular administrative job must be done before the archival function of the commission can be put into effective operation.

The new records management act places the administrative job of records management in the Department of Administration. The professional function of selecting and preserving and using public records of historical value has remained with the Historical Commission. The legislation which establishes this program is probably the best that there is in the United States. Legislative committees were guided by the advice of the Historical Commission and always gave its representatives a courteous hearing.

The same thing is true of another act which was passed amending

the organic act of the Michigan Historical Commission. The handling of public records in local government offices has long been a duty of the Historical Commission. Certain restrictions in the Historical Commission act were removed in order to make it easier for local government offices to install modern techniques of records management. The administration of the records of town and county offices will be simpler, and the work of the Historical Commission will be more successful as a result. The previously mentioned records management act is now in harmony with the Historical Commission act.

While the budget of the Historical Commission is by no means as large as other state historical agencies, it is noteworthy that this economy-minded legislature did not reduce the recommendation of the budget division and did appropriate funds for publications of the commission designed to serve the needs of Michigan school children. The specific publications are the *Flag and Flower* pamphlet, and a booklet written by Ellen Hathaway called *Your Capitol and Mine*. The Ways and Means subcommittee which studied the appropriations bill showed an active intelligent interest in the work of the Historical Commission. As a result, the commission will receive \$59,308 for the fiscal year 1952-53.

The legislature as a whole became aroused when the Civil War relics were removed from the basement of the capitol rotunda. By a concurrent resolution, the state administrative board was directed to return these relics. Individual members of the legislature expressed their desire to see the exhibit improved and expanded.

The exhibits have been returned and reorganized under the direction of Cooley J. Sherman, director of the State Historical Museum, who did an excellent job. If funds are forthcoming in future years it may be that a still more satisfactory exhibit will result.

Another example of rapid and intelligent action on the part of the legislature is concerned with the naming of the two state office buildings after Lewis Cass and Stevens T. Mason. In a meeting of February 27, 1952, the Historical Commission instructed its secretary to inform the proper authorities of a resolution passed at that meeting to the effect that too long had there been confusion about the "old" building, the "new" building, or the "old new" building, and recommended that the two buildings be named after Lewis Cass and

Stevens T. Mason. As a result the following concurrent resolution was adopted on April 2, 1952:

Whereas, The members of the legislative building committee have had suggested to them the desirability of providing a name for the so-called old state office building and the new state office building, commensurate with the place that said buildings play in the operation of state government; and

Whereas, The committee has considered the same and it has been suggested that one building be named "Lewis Cass" and the other building be named "Stevens T. Mason Building"; and

Whereas, General Lewis Cass was long and intimately associated with the history of the state of Michigan, having served six times as governor of the territory between the years 1813 and 1830 and having been instrumental in making more possible the settlement of the territory by his great influence with the Indians, and later by his service as secretary of war, United States senator from Michigan, and as regent of the University of Michigan, left his impression on the state and well represented it in the councils of the Nation; and

Whereas, Stevens T. Mason, a scion of the famous Mason family of Virginia, came to Michigan as secretary to the governor of the territory, served as acting and ex officio governor in three separate periods and was largely responsible for the calling of the constitutional convention and the movement which led to the acceptance of Michigan as a state of the Union, and thereafter served as the first constitutional governor and was re-elected to that office; and

Whereas, The naming of said buildings after the two illustrious late citizens and officers of our state would be a proper and fitting memorial to the great and everlasting contribution which they made to our state and to the people of our state; now therefore be it

Resolved by the House of Representatives (the Senate concurring) That the so-called old office building be named and designated as the "Lewis Cass Building" and the new office building be named and designated as the "Stevens T. Mason Building"; and be it further

Resolved, That a copy of this resolution be forwarded to the director of the department of administration and that the building division of the state of Michigan be directed to have prepared and affixed to said office buildings the proper names, as above set forth.

And so, Michigan's state office buildings will stand as permanent memorials of two most distinguished historical figures.

Most Michigan people are aware of Public Act 70 naming route US-16 after the late Senator Arthur Vandenburg. Not so much attention was paid to a concurrent resolution providing that the people of Grand Rapids be permitted to hang a portrait of the notable

senator in the vestibule or other conspicuous location in the new state building. Certainly such tributes to Michigan's honored public servants tend to advance the historical interests of the state.

An extraordinary event took place in the Michigan House of Representatives when Speaker Victor Knox presented Representative Harry P. Emmons with his Centennial Farm Marker, at the beginning of the afternoon session of February 13, 1952. Following are the remarks of Speaker Knox after Representatives Andrew Bolt and Edward A. Borgmaan escorted Representative Emmons to the rostrum:

Today, I have a special privilege—one that has never been granted to any other member of the House of Representatives—and that is to present to our colleague, Harry T. Emmons, a centennial farm marker. The Michigan Historical Commission issues farm centennial certificates to Michigan farmers whose families have owned the same farm for one hundred years or longer. In the last two years about 450 families have qualified. Today is Harry Emmons Day. Along with the certificate, the Historical Commission gives the centennial farmers this marker. This marker is provided for by contributions from the Detroit Edison Company and the Consumers Power Company. Harry P. Emmons qualifies as a centennial farmer through land acquired by his great-grandfather, Andrew Emmons, June 21, 1848. The family farm is in Wyoming township, Kent county. Harry Emmons, it is with a great deal of pleasure that I present to you in behalf of the Historical Commission of the state of Michigan this centennial farm marker which I know will be erected on your farm so that those who pass by will know that your family has owned for over one hundred years the land on which you live. Also with it is the centennial farm certificate, signed by the governor of Michigan, the Historical Commission, and by Fred M. Alger, Jr., secretary of state. Good luck and God bless you.

Representative Emmons responded:

I can say I am very happy and proud that my forefathers considered and did come to Michigan to live, and that I have been able to live on the farm that they bought in 1848, still owned by the Emmons family; the place where I was born and place where my father was born and the place where my children were born—even the place where my grandchildren were born. I am very thankful and really appreciate it. Thank you.

It should be pointed out that Mr. Emmons was not the first legislator to qualify for a centennial farm award. Several years ago, Representative Andrew W. Cobb and former Representative James I.

Post had received awards, but not as a part of a ceremony in the legislature.

These are some of the events directly related to Michigan history which occupy the attention of the legislature from time to time. It is true that we still have a long way to go in Michigan to bring our state historical organizations up to the place where they give as much community service as do those in many other states. However, we are expanding and the legislature looks upon the expansion as a good thing. As the Historical Society of Michigan grows, and as the work of the Historical Commission advances, it does not seem likely that we will be treated unkindly by the legislature so long as we continue to provide community service.

A SEMINAR IN LOCAL HISTORY

Ivor D. Spencer

IN THE HISTORY SEMINAR OF KALAMAZOO COLLEGE local history is the subject matter which is studied. If one reads through the papers produced by the students in the seminar, one may encounter such varied facts as that the first volunteer companies to go off to the Civil War left on April 30, 1861, in the 10:45 train, or that Mrs. Caroline Bartlett Crane in 1904 used to get up at three o'clock in the morning to see that the principal streets were flushed down properly, or that the first asphalt road in Michigan was one in Kalamazoo County in 1917. There is a savor of antiquarianism in these items, true enough, without any necessary promise of something worthwhile.

The fact is, however, that the seminar's research is in local history because in that field there are available some excellent primary materials into which to delve.

Perhaps it would be unfair to say that the sources for local history in Kalamazoo are better than for the other medium-sized Michigan cities, and I do not know that they are, but they are certainly adequate. The greatest single resource is the admirable file of the *Kalamazoo Gazette* in the public library, complete since its inception in 1837, except for one serious break in the years from 1862 to 1870. The entire file has been microfilmed since World War II, so that the *Gazette* may be used in either its original or its reproduced form. We also have pretty good files of county vital records (marriage records go back to 1831, for example) and also of court records, school reports, supervisor's records, and so on. There are some rather early city directories, printed accounts by travelers, engravings of old scenes, and various other contemporary documents, together with such secondary works as the county histories and a variety of brief manuscript histories. Of private collections of letters, unfortunately, we are rather short. Our most famous soldier, Frederick W. Curtius, who fought under Bolivar and whose descendants are well-known residents of the city today, is typical of many truly distinguished persons who are represented today by only very fragmentary personal papers if any at all. On the other hand, there are some

excellent business papers, such as the minutes of the board of directors of the First National Bank from its founding in 1865.

The value of a study of some phase of local history for a college seminar is of course not especially to be found in antiquarianism as such, interesting as that is for those students who have been brought up in this community. It is rather in the reflection of those wider currents that have shaped our country and our world. For local history is not just a study of life in a microcosm, after all. When the first locomotive reached Kalamazoo in 1846, it did a lot more than interrupt divine service on that Sunday morning, when the members of the congregation deserted the church buildings and in happy excitement rushed out to the tracks. This event symbolized the ending of the frontier at this point. Henceforth local wheat and flour had a convenient connection with eastern and even foreign markets, and an isolated town began to be integrated with a nationwide economy. When a contingent was raised in the 1850's to go to Kansas and settle there to save that "bleeding" territory for freedom, the event was obviously of more than local significance. So, too, with the touching scene at the departure of the Kalamazoo companies in 1861. Or, if one turns to the rise of big business, that favorite theme of textbooks, there is the history of the Upjohn Pill and Granule Company in the 1880's and after, including the development of an easily digestible pill to replace the older type, which latter could be driven into a board with a hammer! Here was the start of what was to become our largest local enterprise. Or, to cite again the contributions of Mrs. Crane in 1904, the work of that lady and of the Women's Civic Improvement League which she headed were parts of the Progressive Era of Theodore Roosevelt and Woodrow Wilson, when the whole land was alive with projects of civic betterment, an age that in Kalamazoo culminated in the adoption of the city commission-city manager form of government in 1918.

Our seminar program includes a discussion of historical method and of the history of historical writing, but the research is the big thing throughout the semester. The student selects his topic from an assorted list presented to him or else finds a subject of his own. As a rule, it has been safest to propose fairly broad subjects, so as to be quite sure that there will be enough material. The student then goes to work, exploring a bit in the secondary accounts but very soon

getting down to the main task, the work with the original materials. For the first time in his life, very often, he finds himself becoming wrapped up in something that simply will not let him go, that drags him along virtually by the scruff of the neck—in this case right through the middle of a lot of history. To read the early files of the *Kalamazoo Gazette* or of any of its contemporaries is of course to acquire a liberal education in the manners and mores of an earlier day. The same thing may be said, however, of almost any intensive study of a similar era via firsthand materials.

A preliminary report, in oral form, is required before the middle of the semester. This helps to encourage the student to get under way in serious fashion, but the presentation also gives an opportunity for an initial full-length discussion of the paper by the members of the seminar, including the suggestion of additional sources. At the end of the term another oral report is required; a rough draft is submitted to the instructor before the final typing. Full annotation is demanded, as are a rather detailed table of contents and bibliography. The finished product is usually about twenty or thirty pages long. All in all, it is a lengthier and more polished product than the student's other college courses have usually expected of him.

One of the chief problems of such manuscript histories is to provide a reasonably foolproof system for preserving them. To this end, we require two copies, one for the college library and one for the public library. Both institutions enter these papers in their catalogues. Furthermore we prepare each year a mimeographed list of all of the papers to date and each new paper has one of these lists put at the front in its hard black binder. Any person who sees one of these papers will thus learn of the subjects covered in the previous ones. The set of papers accumulated thus far, over a period of six years, now constitutes the most extensive history that there is of our city and county. The papers are in general of good quality. Some, such as Theodore Troff's study of Kalamazoo commerce and industry to 1860, or Peter Dyksterhouse's account of public education up to 1875, or John E. Rumohr's history of Prairie Ronde, are more than that—are excellent.

It is good to be able to say that these studies are being used. Newspaper writers in Kalamazoo have at times referred to them as aids in preparing articles, and high school students have written

themes from them. Our students occasionally give talks before the Kalamazoo County Historical Society, as with Roderick Hill and his very good account of the early street railways. The state library at Lansing has had copies made of a number of the papers for its own files; one paper, sent there for copying, was destroyed in the great fire of a year ago and is now being replaced.

Seminars in colleges and universities often use collections of printed documents as the basis for this research. These are of course rather expensive to buy. After the basic sets have been obtained, there is always a question as to how many supplementary documents of various sorts must be purchased. If the seminar is to specialize in national or foreign history, no other solution may be possible. On the other hand, if the intention is principally to train the senior majors in historical method, I submit that local history offers a very adequate solution. It is, moreover, quite interesting. Finally, it can be of some service to the community. If your city has been, like Kalamazoo, a dynamic and creative community from the outset, it has had plenty of history. And the records are there to be studied.

Michigan News

A CONTRAST OF TWO NEWSPAPER STORIES, BOTH FROM THE Petoskey *Evening News*, will be a fair indication of the general accomplishments of the 78th annual Convention of the Historical Society of Michigan, held in Petoskey, September 26-28, 1952. The feature in the *News* of Thursday, September 25, written before the meeting took place, was headed

STATE HISTORICAL SOCIETY MEETS HERE—Petoskey receives another Centennial honor tomorrow when the Historical Society of Michigan comes here for its 78th annual convention in recognition of the city's 100th birthday.

Compare this with the Saturday, September 27, feature under the three column heading:

HISTORICAL GROUP MEETING IS GEARED TO MODERN AGE—Anyone who thinks history is a dry-as-dust subject should have attended . . . Their faces were not those of people who were prepossessed with things of the past. They were alive, vibrant, interested, ready to relate the history of their state to the business of what is happening here and now.

There were at least 125 persons from every point in Michigan who attended some of the sessions; from Houghton to Monroe, from Kalamazoo to Sault Ste Marie, from Alpena to Manistee, and all points in between, people came to meet together to discuss Michigan history. Significantly, about one third of those attending were at their first annual meeting. Charles Starring of Kalamazoo was program chairman, Harriet Kilborn of Petoskey was in charge of local arrangements, and Mate Graye Hunt of Kalamazoo was in charge of registration.

Lewis Beeson presided at the Friday afternoon section of the program which consisted of reports on five Michigan historical activities. Miss Harriet Kilborn reported the success story of the Petoskey Centennial. Mrs. Ellen Hathaway described the past accomplishments and future plans of the school activities committee. Mrs. Anne Boyer, substituting for Henry Brown, struck the keynote of the convention when she discussed the work of historical museums and described the objective of historical activity as community service. Miss Isabelle Tripp told of the spectacular success of the

centennial farm award program in Lenawee county. Chester Ellison, reporting on the activity carried on under the Munson Michigan History Fund, informed the group of the progress made by F. Clever Bald in writing a history of Michigan, and of the progress of the Michigan Historical Commission in its plans for publication. Everyone was delighted to hear that four large nationally-known publishing houses were interested in publishing the book.

Alexis Praus, president of the Historical Society, presided at the evening program, which was a happy combination of entertainment and information. Circuit Judge Edward H. Fenlon was the principal speaker. In his informal talk he related some of the interesting incidents in the judicial history of the area around the Straits of Mackinac. Following Judge Fenlon, "Historical Petoskey in Words and Music" was presented with Harriet Kilborn as the narrator.

The Saturday morning program got off to a fast moving start. Charles Follo presided at the first morning session. This began with a report by William Duchaine of the American Playground Device Company on the Nahma project. Here is an industry which finds it sensible to relate business and history. Mrs. Carroll Paul of Marquette told of the fun she had in refurbishing Fort Wilkins. (See *ante* pages 415-19.) Dr. Alfred H. Whittaker told of plans and accomplishments of the Michigan Medical Society to restore various buildings on Mackinac Island as a memorial to Dr. William Beaumont. He also told of the prospect of making this memorial a world center of medical history. His talk was pleasantly illustrated with slides.

The second morning session considered administrative problems in securing public funds for the support of local historical projects. Vernon L. Beal, of the Michigan Historical Commission, presided at this interesting session. Mrs. Elizabeth Wathen, director of the Muskegon County Museum, told of the difficulties she had encountered in obtaining support from the county board of supervisors for the museum which she directs. The significant fact stood out that in spite of these difficulties Mrs. Wathen has been successful in obtaining these funds through constant work in presenting a worthwhile program for the benefit of the whole community.

Mrs. Robert P. Heston, president of the Monroe County Historical Society, related the experience of the organization which she

represented in meeting the same problem. John Luscher, supervisor from Manistee, contributed from his practical knowledge of how a county board of supervisors works. He pointed out that the problem involved in seeking appropriations for a county historical society was the same as the problem of securing appropriations for any purpose. He stressed the importance of explaining the needs to the finance committee of the board of supervisors and of getting some of the supervisors to sponsor the project. Incidentally, Mr. Luscher is at present making active plans to create a local society in Manistee County.

After luncheon, the first item on the program was the annual business meeting. President Alexis A. Praus was in the chair. Michael Church, the chairman of the nominating committee, presented the selections of that committee for the positions on the board of trustees. Mr. Church explained that three factors were taken into consideration—geography, ability, and recognition. Since the nominating committee regarded the fact of nomination as something of an honor, the whole list of nominees is presented here. For a short term to replace Dr. Lawrence Frost of Monroe, who resigned because of pressing business matters, the committee nominated Mildred McMichael of Monroe, and Betty Flanagan of Mackinac Island. Interestingly enough there was a tie vote on the first ballot cast. On the second ballot, Mrs. McMichael was elected.

For the regular positions, the following names were submitted: Donald Adams of Pontiac, Miles Beamer and Hazen Kunz of Detroit, Allan Good of Houghton, Harriet Kilborn of Petoskey, Emil Lorch of Ann Arbor, Mary Manley of Flint, Lucille Mills of Lansing, Richard Ruddell of Dearborn, Charles Starring of Kalamazoo. Willis Dunbar of Kalamazoo was nominated from the floor. Of this list Allan Good, Harriet Kilborn, Emil Lorch, Mary Manley, and Charles Starring were elected.

The other business of the meeting consisted of a reading of the minutes, a report of the audit committee, the financial statement, and some general discussion. Willis Dunbar discussed the problems of committee chairmen, saying that committee chairmen needed more authority to go ahead with their plans. He suggested that by the time projects were finally approved by the board of trustees, the year was over and the chairmanship had passed to another. This problem was also discussed by Dr. Beeson in explaining why the appropriation

of the membership committee had not been spent. Dr. Beeson told the group the plans which were now made to develop a three-year membership program.

Dr. Alfred Whittaker, reporting for the historic map committee, said that arrangements had been finally made for publication of the historic map. The map will be available to society members some time in the late spring of 1953. Rolland Maybee reported a successful conclusion of the work of the gavel committee. Charles Follo suggested that the position of trustee of the Historical Society of Michigan was one of active service.

Interestingly enough in the trustees meeting which followed the annual meeting, Mr. Follo was elected president of the society. Mrs. Anne Boyer is the vice-president. Lewis Beeson will continue as secretary-treasurer.

Immediately following the business meeting Emil Lorch of the architecture committee presented a series of slides along with a running commentary on historic aspects of Michigan architecture. This was a feature which many society members had asked to be scheduled and everyone was pleased at the result. Mr. Lorch completely described the peculiar problems involved in restoring or preserving historic architecture. After all there is quite a difference between collecting manuscripts and collecting houses, yet the consciousness of the community heritage might be more widely engendered through the preservation of a building which many may visit, than by the preservation of a manuscript which might never leave the cloister. Mr. Lorch lauded the work of former trustee Harold Brooks of Marshall in preserving and saving from destruction several historic buildings in that area.

The Saturday night meeting was largely social and given over to entertainment. A roving magician found live goldfish in glasses of water and in some mysterious way passed a pencil with a loop of string attached through buttonholes in such a way that many spent the rest of the evening trying to undo themselves. About the time the wandering magician had everyone confused, Willis Dunbar, as master of ceremonies, introduced a barbershop quartet. The nostalgic songs which the quartet sang were enjoyed by all. Mr. Praus, retiring president, was called upon to present the new officers, Mr. Follo and Mrs. Boyer. A gavel, beautifully carved and made

from a piece of wood cut from the "Educational Oak" in Marshall, was handed, with appropriate remarks, to Mr. Follo.

Sunday morning was bright and clear, as was every other day of the meeting. The weather was perfect and people left in groups on tours through the area surrounding Petoskey. The Master Craftsman had tinted the leaves with startling colors. Glimpses of sparkling blue water on these leisurely trips caused many to halt abruptly for a longer look at Nature's handiwork, as they traveled on any of three historic tours.

Somehow this perfect day in a perfect setting seemed like a fitting conclusion for such a fine meeting—as pleasurable as it was worthwhile.

THE HISTORICAL SOCIETY OF MICHIGAN inaugurated a precedent at the annual meeting in Petoskey when retiring president, Alexis A. Praus, presented a gavel and block to the newly elected president, Charles Follo. The gavel was one of two made from a piece of the celebrated "Educational Oak" at Marshall under which in 1834 James D. Pierce and Isaac A. Crary sat when formulating Michigan's basic educational system. The tree is still growing in the yard of Harold Brooks, a former trustee of the Historical Society. The block was carved of wood furnished by Roy Hathaway from a walnut tree grown on the site of the first district school in Oakland County.

The second of the two gavels and blocks was presented by the Historical Society of Michigan to the Michigan Education Association at its centennial meeting in Detroit on April 15. In presenting the gavel to the Michigan Education Association Alexis A. Praus, president of the Historical Society of Michigan, remarked:

It is a special privilege for me as president of the Historical Society of Michigan to have this opportunity to participate in the one hundredth birthday of the Michigan Education Association. Centennials of such an outstanding and forceful organization as the Michigan Education Association are always proof that lasting, useful, dynamic and fundamental ideals and values do survive the test of time.

Your organization has spent one hundred active years in the cause of sound teaching, enriched curriculum, adequate buildings, properly prepared and professionally minded teachers. As a citizen I am intensely interested in all phases of your aims, ideals and accomplishments. As a member of the Historical Society of Michigan I am happy in the knowledge that the society plays an active role, through many and varied

programs, in the enrichment of curricula and in the building of better state and national citizens.

The Historical Society of Michigan now and all of its antecedent state societies since 1828 have been devoted to the creation of an ever widening circle of interest in the history of Michigan.

Today, on behalf of the members of the Historical Society of Michigan I have the pleasure of presenting the Michigan Education Association with this block and gavel. It is fitting and proper that both have direct links with the history of education in Michigan. This gavel has been turned from a limb of the living oak in Marshall under which Isaac Crary and John Pierce planned Michigan's public school system in the summer of 1834. This block has been carved from a walnut tree on the site of the first district school in Oakland County. Together they are symbolic of the enduring qualities of Michigan's educational system. At this time I cannot help but mention that this presentation was conceived and made possible through the efforts of Dr. Rolland Maybee of Central Michigan College of Education at Mt. Pleasant, a member of the Michigan Education Association and former president of the Historical Society of Michigan.

The gavel was designed by Hans Berg, famous woodcarver and designer. It was carved by the Klise Manufacturing Company of Grand Rapids. Mrs. Hans Berg supplied the heavy cloth container for the gavels and blocks.

THE THIRD ANNUAL UPPER PENINSULA HISTORICAL CONFERENCE at Houghton and Copper Harbor June 21 and 22 was attended by approximately forty persons. The program, which had been arranged by Allan Good, began by representatives from the following Upper Peninsula historical societies reporting on their society's activities: Delta County Historical Society, Chippewa Historical Society, Gogebic County Historical Society, Marquette County Society, and the Finnish American Historical Society of Hiawathaland.

The conference program opened at 2:00 p.m., June 21, in the ballroom of the new Memorial Union on the campus of the Michigan College of Mining and Technology with Charles Follo of Escanaba acting as chairman. Following the presentation of the societies' reports, those attending the conference had an opportunity to visit the Arcadian Mine. This mine has been opened recently for visitors as a commercial venture. Trips through the mine are well handled and constructive.

A dinner in the Union followed the afternoon program. In the evening, Charles S. Lawrence, a student at the Michigan College of Mining and Technology, gave an interesting report of his research in the field and with the records in locating the original portage between Portage Lake and Lake Superior; and Irving S. Edwards, superintendent of the Portage Township schools, gave a talk on the natural beauties of the Keweenaw Peninsula, which was illustrated by colored slides he had made. Both talks were most interesting.

On June 22 the members of the conference went by automobile from Houghton to Fort Wilkins. Along the way they stopped to visit spots selected and described by Mr. Good. The history of this unusual region was vividly presented on this trip. A delightful pasty luncheon was served on the grounds of the Fort Wilkins State Park. The perfect weather and the beautiful scenery contributed to make this part of the program most enjoyable.

The fort grounds were examined thoroughly by those present. Of particular interest was the new exhibit in one of the officers quarters of the fort. The rooms of the fort were adequately and competently filled with furniture which reflected well the atmosphere of the period during which army officers lived there. The exhibit was due to the enthusiastic interest of Mrs. Carroll Paul of Marquette who contributed the material, saw to its proper arrangement, and loaned it for a period of years to the parks division of the Department of Conservation, which is responsible for the management of the park. This cooperative endeavor between a private individual, the Department of Conservation, the Historical Commission, the Historical Society of Michigan, and the Upper Peninsula historical societies, augers well for other future historical accomplishments of this sort. The exhibit furnished by Mrs. Paul transforms an empty shell of a building into a living memorial to history.¹

Alexis A. Praus, president of the Historical Society of Michigan and director of the Kalamazoo Public Museum, was asked to cooperate with Mrs. Paul in the installation and display of the exhibits in the officers quarters. While going to and from the third annual Upper Peninsula historical conference, Mr. Praus and Dr. Beeson paid

¹A more complete description of the exhibit in the officers quarters is given by Mrs. Carroll Paul *ante* pages 415-19.

special attention to visual history as time and opportunity permitted.²

Their first stop was at Muskegon where they went through the Muskegon County Museum. The exhibits in this museum are practically all historical. Mrs. Elizabeth K. Wathen, with little assistance, is doing a good job. Lumbering is stressed, and rightly. The museum has on display lumbering material not often seen in museums: ordinary, every-day material, such as caulked boots. Typical of the approach in exhibiting is an actual white pine log. Without logs, there would have been no lumbering, yet how many museums with lumbering exhibits show a log?

Father Marquette is well exploited in Michigan, with markers or memorials to him at Ludington, St. Ignace, Marquette, Sault Ste Marie, and Mackinac.

This French missionary is of great interest to residents and non-residents alike. Yet too frequently those responsible have failed to provide the would-be-visitor to Marquette's memorial with any clue as to how to reach it. Messrs. Praus and Beeson found this to be true of the marker and cross erected near Ludington to commemorate Marquette's first burial site. Once there, the visitor finds the spot selected as the probable site of Marquette's burial impressive—but how difficult it is to find. This comment holds true also for Marquette's grave at St. Ignace. Although the grave and its lot are adjacent to highway US-2, along which thousands of tourists travel each year, there is no sign calling attention to the final resting place of one of the greatest of French missionaries and explorers.

After leaving St. Ignace, the two stopped at Epoufette; the White Marble Lime Company lime kilns on US-2, approximately ten miles east of Manistique; Fayette; Nahma; and at the Potvin cabin on US-41 ten miles north of Rapid River. On their return from Houghton they visited the Marquette County Historical Society museum, Grand Island, the Indian cemetery near Brimley, Sault Ste Marie, Drummond Island, Mackinac Island, Mackinaw City, Fort Michilimackinac, and the Hartwick Pines State Park, among other places.

The lime kiln east of Manistique holds considerable attraction for the tourist. It is noticed by everyone who travels highway US-2

²See Mr. Praus' account *ante* pages 408-14.

because it occupies an especially favorable site compared with other structures of this sort, such as those around Fayette and Marquette. The land on which the kiln is located should be made into a public park. The American Playground Device Company is developing a lumbering exhibit in the old horse barn at Nahma. This commercially sponsored museum development is extremely interesting. The excellent museum opened at Fort Wilkins has already been mentioned. It should be remembered that the exhibit in the officers quarters is in addition to the already established museum at Fort Wilkins.

Mackinac Island is a most active center of historical interest in the Old Northwest. The entire island is a storehouse of history. The museum in Fort Mackinac, however, like the State Historical Museum in Lansing, needs to reclassify its material and eliminate that which does not pertain to Mackinac or to Michigan. The museum managed by the city of Mackinac has a better acquisition policy than either of the other two museums; its material is restricted to Mackinac. Fort Michilimackinac across the straits at Mackinaw City at present has little to offer the visitor.

The ghost town of Fayette should be preserved by some government agency—town, county, or state. At this site is to be found everything of interest to the visitor: historical association, beautiful scenery, a pleasant beach, an excellent harbor, and accessibility.

Ten miles north of Rapid River on US-41 is an interesting log cabin which is about to disintegrate completely through neglect. The Potvin home is interesting because it is one of the few remaining examples of French log-cabin construction in Michigan. It should be restored.

At present there are two museums in the Upper Peninsula developed by local historical societies. The one at Marquette is excellent. In addition to museum material, that society has a valuable collection of original, written, and printed documents and records. The museum at the Soo is not as effective as it might be because the society has no well formulated collecting plan. There is much valuable written and printed historical material in the library at Sault Ste Marie and an interesting collection of museum articles.

There is a good commercial exhibit being installed at the Soo by the Bide-A-Wee Company. It consists of a replica of Sault Ste

Marie as it existed from 1820 to 1840. Fort Algonquin on US-2, north of St. Ignace, has a valuable collection of Indian material in its commercial exhibit. This exhibit is displayed as an attraction to bring tourists into a store selling souvenirs. Teysen's Cafe at Mackinaw City also has a good commercial exhibit although some of the material does not pertain to Michigan. These three commercial exhibits are above the standard of similar enterprises found elsewhere in the United States where history is used to lure the tourist into buying food, souvenirs, or recreation.

Messrs. Praus and Beeson left the Upper Peninsula with the impression that the historical exhibits activity is well advanced. There is started at Fort Wilkins an excellent military museum. A lumbering exhibit is being planned at Nahma. Fayette, if it can be preserved as it is, would be a remarkable historic site with its visible physical records relating to the smelting of lime and iron ore and its picturesque setting. Several excellent starts in developing the historical importance of the Soo have been made. Two county historical societies have museum developments of interest and value.

These various historical activities, both commercial and public, are being drawn together through the series of annual Upper Peninsula conferences. With the support of the Historical Commission and the Historical Society of Michigan, the Upper Peninsula historical societies are uniting in a common endeavor to bring together through a common set of objectives the various significant historical interests and activities of that region.

THE OPENING TO VISITORS OF THE ARCADIAN MINE AT RIPLEY, near Houghton and Hancock, makes possible an interesting and educational trip through what is believed to be the only underground copper mine in the world open to the public.

A recent issue of *The Arcadian Miner* published by Arcadian Copper Mine Tours, Inc., with Arvo R. Walitalo, president, and Louis G. Koepel, secretary, describes the formation, history, and present workings of the mine. For the uninitiated, words used by miners—such as adit, level, mass, tailing—are explained. The mine is open to visitors on weekdays May 15 through September 15. It is also open on Sundays during July and August. A fee is charged for the guided tour.

BIRT C. DARLING OF THE LANSING STATE JOURNAL, author of *City in the Forest* reviewed in the June, 1951 issue of Michigan History, is public relations director of the Michigan Archaeological Society. He has written the following account of the year's activities.

Editor

With the goal of preserving Michigan's prehistoric sites in view, a group of amateur "diggers" threw new light on the American Indian in this state in 1952.

The diggers, members of the Michigan Archaeological Society, admit that they've literally only scratched the surface. Sites and potential sites beckon them on nearly every stream and rise of land as they study the literature of Michigan archaeology during the winter months.

Field trips were conducted to a number of sites during the 1952 season. While there was some excavation, where circumstances warranted it, most of the trips were concerned with surface collecting. It might be explained that most sites do not justify digging or trenching, since they were occupied only briefly. The surface collecting serves to identify the specific culture for the specific site, in many cases, and leads to a better-rounded knowledge of a particular area. There are many areas in Michigan today which are blanks, simply because Indian artifacts have been collected by collectors (as distinguished from amateur archaeologists) who have never classified or labeled their findings, with the result that these collections have become scattered and valueless to the archaeologist, the historian, and the citizens of Michigan.

One of the outstanding pieces of work was performed by the Southeastern Chapter (Detroit) near Rochester. A known burial site that was to be destroyed by road construction was staked out and excavated carefully. Numerous burials were saved—enough to enable the amateur archaeologists to determine that they'd hit upon a site involving the rare and unusual "Owasco Aspect," a group which annually conducted a weird rite known as the "Feast of the Dead," during which skeletons of the departed were strung from poles and honored. Holes drilled in skulls provided mute evidence.

The Central Michigan Chapter, probing along glacial moraines leading out of northeastern Ingham County, hit upon a site in the Rose Lake Wildlife Conservation Area, just over the Ingham line

in Woodhull Township, Shiawassee County. Along Vermilion Creek its members found what seemed to be an overlapping of several sites of varying dates of occupancy, although all artifacts were on the surface, and test digging revealed nothing beneath the sandy soil. There was evidence of Woodland, Hopewellian, and possibly Middle Mississippi and Ft. Adena cultures in the numerous artifacts found, which ranged from pottery sherds and arrowpoints to awls, hoes and scrapers. Two principal sites seem warranted, although both contain material of such similarity as to make them seem contemporaneous. Both can safely be labeled "Woodland" (about 1300-1500 A.D.).

A site in Meridian Township on the north side of Red Cedar River is under investigation, but lateness of the season has prevented complete scrutiny.

Grand Rapids' Wright L. Coffinberry Chapter proved its aggressive qualities when it started a campaign early in the year to preserve a group of mounds on city land. The mounds had been used by "hot-rod" drivers as part of an obstacle course! Since these mounds, one of which is thirty-five feet high, are the chief manifestation of the Hopewellian culture in Michigan, the entire state society has joined in the fight, with the result that the park, considered a detriment by the Grand Rapids city government, may be turned over to some state agency with the facilities to conserve it.

Some of the mound group was excavated about 1875, and reported in scientific journals by Wright L. Coffinberry.

In Ohio, which was the center of the Hopewell culture, mounds and geometric earthworks have been preserved by a forward-looking citizenry.

The Coffinberry Chapter also conducted excavations at an Indian village site at the junction of the Grand and Thornapple Rivers, coming across fire pits and other evidences of ancient occupation.

The Saginaw Chapter, only recently formed, is the beneficiary of a long period of archaeological investigation by Harlan I. Smith and Fred Dustin, among others. Saginaw is at the center of one of the three richest archaeological districts in Michigan.

Formed last April, the Alpena chapter is well situated to deal with aboriginal remains which may be found on former shorelines of Lake Huron. Owing to the post-glacial tilt of the basins of the

Great Lakes these remains are now well above the lake, and inland, out of reach of present wave action.

In the Benton Harbor area, many sites have been exposed by wind action in the sand. These sites show evidence of considerable antiquity. Locations are currently being recorded and surface collections made.

The Society has Upper Peninsula members but no chapters as yet. Total membership in the Michigan Archaeological Society is nearly one hundred.

THE RECENTLY ORGANIZED GOGBIC COUNTY HISTORICAL SOCIETY under the leadership of John A. Sepplan, president, and Norman J. Bunker, secretary, has embarked the organization upon a number of worthy projects. One of the most interesting of these was assisting in the preparation of a mural depicting the history of Gogebic County by a local artist, William M. Desotelle, and its presentation to the Upper Peninsula State Fair Board for permanent display at the fair grounds at Escanaba. This mural is described *post* pages 442-43.

In connection with the Gogebic County mural, the local historical society conducted a contest among students and adults for the best article about the mural. In order to show the mural locally before its transfer to Escanaba, it was placed on display from August 4 to 15 in the windows of the McKeivitt-Kershner-Patrick Company of Ironwood.

A related activity of the Gogebic County Historical Society was the booth maintained by that organization at the Gogebic County Fair held at Ironwood, August 14 through 17. Two display cases were filled with various pictures, directories, and articles. The display was arranged by Mr. Bunker and Miss Ede Sepplan. From the comments received by the persons manning the booth through the four days of the fair, it is evident that it was visited by more people than any other exhibit.

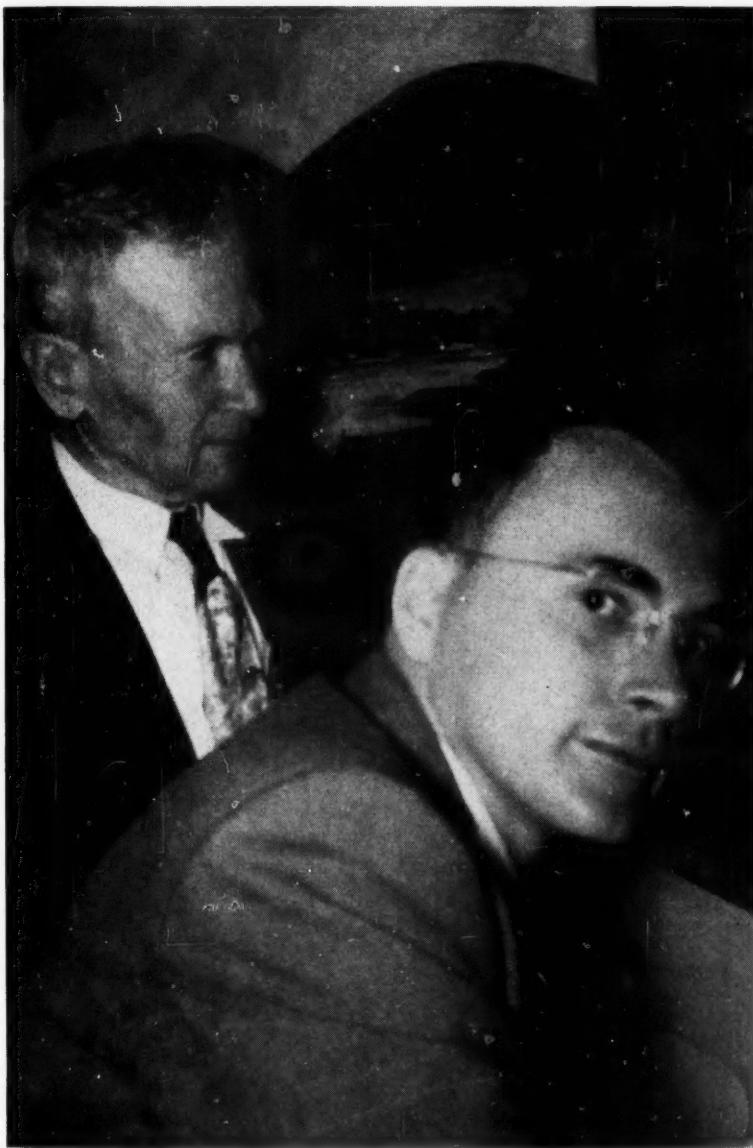
Mr. Sepplan has prepared a three page report containing much information on the history of Gogebic County and its people which he is giving to people in the county and sending to former residents. He has also prepared an application form for new members and is sending these to everyone he knows who may be interested in joining this newly activated county historical society. Dues in the local

organization are \$1 a year. Since the Gogebic County Historical Society has adopted the joint active membership plan of the Historical Society of Michigan membership in both organizations costs only \$3 a year.

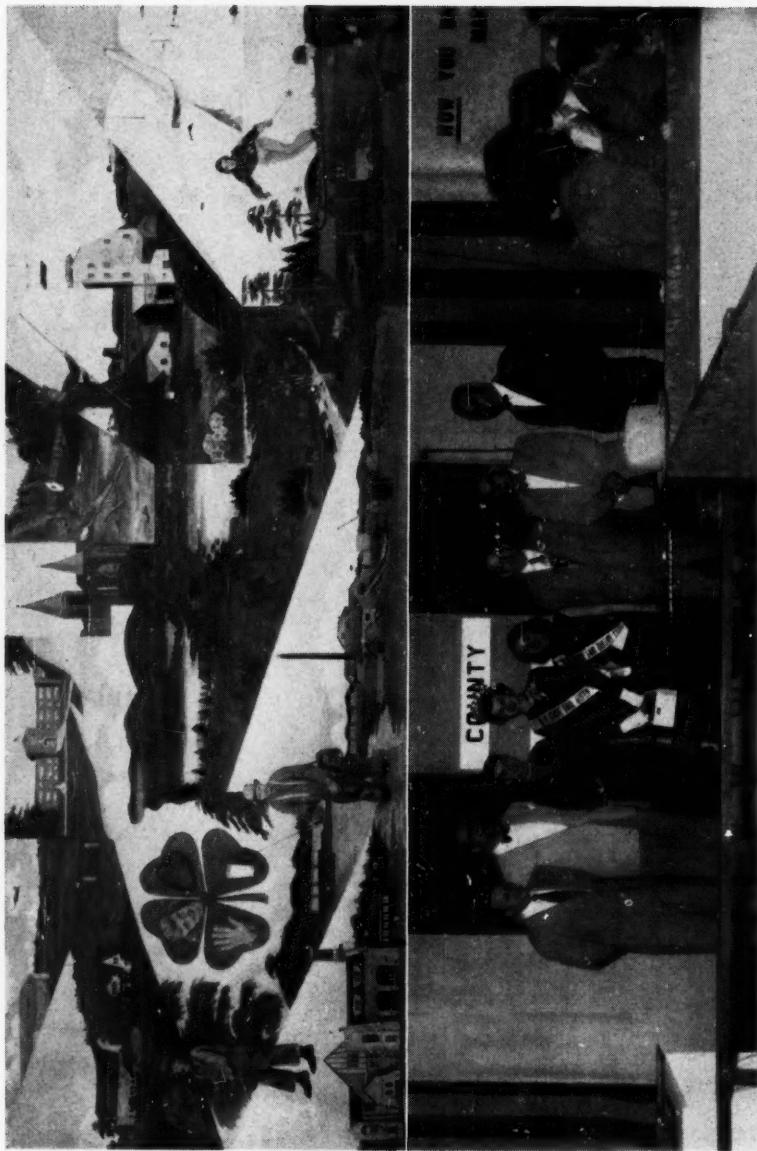
The Historical Society of Michigan has been invited to have its fourth annual Upper Peninsula historical conference at Ironwood and has accepted the invitation. Plans for this 1953 event will be announced later.

THROUGH THE INTEREST OF VICTOR F. LEMMER, a member of the Upper Peninsula State Fair Board, the board of managers of this fair dedicated on August 21, 1952, the first of fifteen murals the Upper Peninsula State Fair Board plans to install on the fair grounds. The purpose of the fair board in inaugurating a yearly program at which time a mural will be dedicated will eventually have on permanent exhibition at the state fair a mural showing the history of each county in the Upper Peninsula. It is the intention of the fair board to record the history of each county in the Upper Peninsula through these murals. Gogebic County was the first county to have a mural ready. The Gogebic County mural dedicated at the 1952 fair was painted by William M. Desotelle. Mr. Desotelle painted the mural in the basement of his home during his spare time. The painting, which is nineteen by seven feet in size, shows ten or more scenes relating to the history and resources of Gogebic County. Every scene presented in the mural was painted from actual buildings, farms, lakes, and areas in Gogebic County, or of living persons as models. Snapshots and newspaper clippings relating to Gogebic County also were used by the artist in working out the details for the mural.

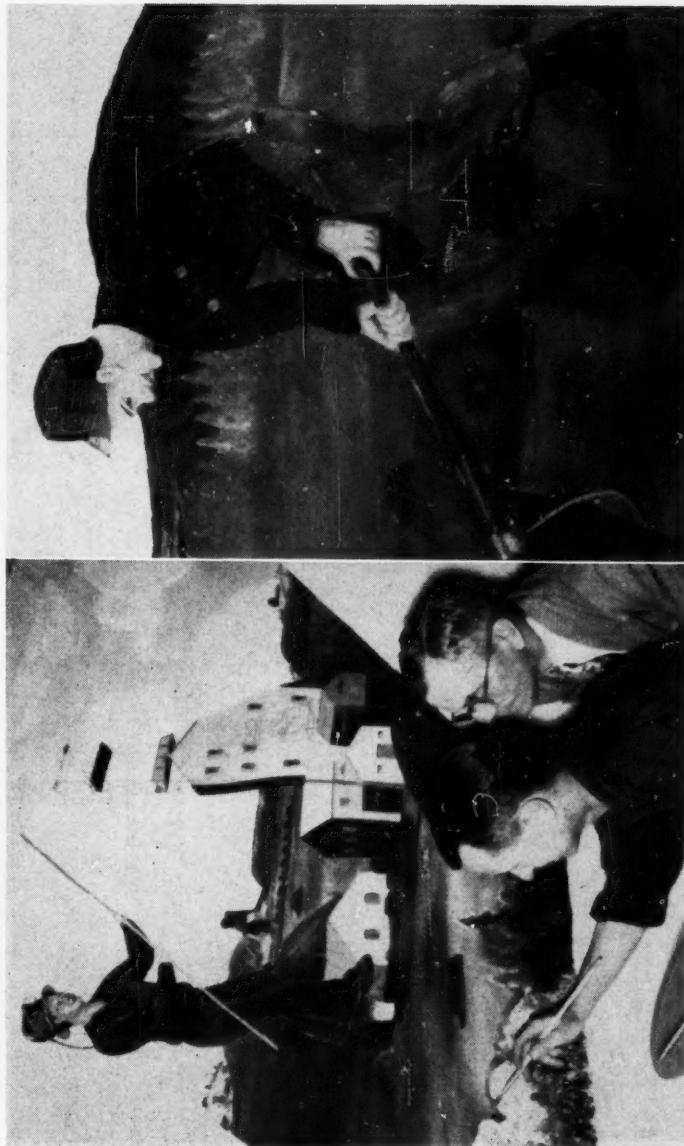
DEDICATION OF THE HISTORICAL MURAL OF THE COUNTY OF GOGBIC at the Upper Peninsula State Fair at Escanaba, Michigan, took place Thursday, August 21, 1952. Pictured in the dedicatory ceremony are (left to right) Louis Mezzano, Wakefield, state representative from the Gogebic-Ontonagon district; Governor G. Mennen Williams who dedicated the mural; Miss Jane Kaiser, Houghton, member of the court of the queen of the Upper Peninsula State Fair; Miss Dolores Toyra, Manistique, queen; Miss Joan DeShambo, Escanaba, another member of the queen's court; Victor F. Lemmer, Ironwood,



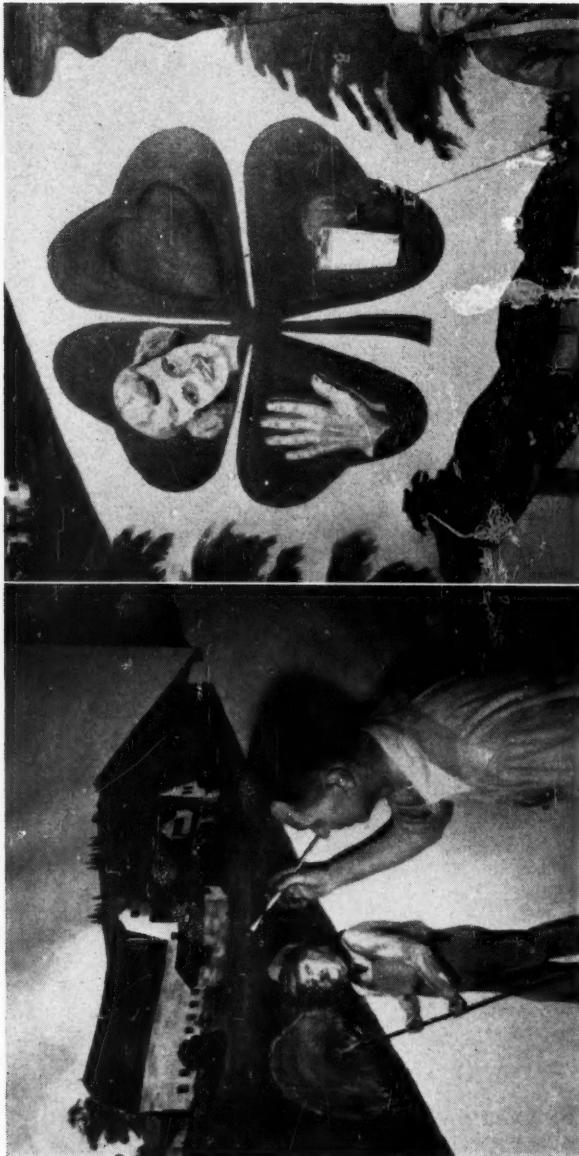
John A. Sepplan, left, and Norman J. Bunker, right, president and secretary respectively of the Gogebic County Historical Society, viewing mural while it was being painted in the basement of the artist, William M. Desotelle.



DEDICATION OF GOGEBIC COUNTY HISTORICAL MURAL



Left: Artist Desotelle and Victor F. Lemmer inspecting the iron ore mining scene in the mural. Right: A section of the logging scene in the mural portraying Laurel J. Heinske, secretary-manager of the Timber Producers Association. Mr. Heinske is the editor of the association's magazine which features the history of the logging and lumbering pioneers of the Upper Peninsula.



Left: Painting the farm scene, which includes a sketch of Leonard Estola, a retired Finnish farmer who pioneered the country. Right: The scene in the mural which depicts the 4H Club emblem symbolizes the head, the hands, the heart, and the health. The features of Carolyn Jacobson, an outstanding 4H club girl, were used for the model. In the lower right hand corner will be noticed the scene of the fisherman, C. E. Gunderson, the retired agricultural agent of Gogebic County.

These pictures were furnished by Mr. Lemmer.

Courtesy of Lemon Studios

a member of the board of managers of the Upper Peninsula State Fair who supervised the historical project; Einar E. Erlandsen, Escanaba, state representative from the Delta County district; and Clark J. Adams, Pontiac, judge of the Michigan Supreme Court.

PETOSKEY'S CELEBRATION OF ITS CENTENNIAL reached its climax in a three-day observance, July 11, 12, and 13. It was the culmination of almost a year of planning with a three-fold purpose: to give suitable attention to the history of the community; to provide entertainment; and to dedicate a number of permanent civic improvements to the future. The Petoskey *Evening News* published a special historical supplement and the *Northern Michigan Review* printed a forty-eight page centennial issue. Both of these papers recalled the early days of Petoskey and included pictures of people and scenes, also a map—a bird's eye view of Petoskey in 1880. The spark plug of the centennial program was Miss Harriet Kilborn.

Music and concerts were provided by five bands: the Racine Wisconsin Boy Scout Drum and Bugle Corps, the Saladin Shrine Band from Grand Rapids, the Manistee Elks Clown Band, the Port Huron Salvation Army Band, and the Petoskey High School Band.

The three-day program included the dedication of Pioneer Park, balloon ascension, pet and youth parade, puppet show, softball games, square dances, fireworks, the coronation of the queen, Barbara Grisso Ernst, by Governor G. Mennen Williams, the cutting of the birthday cake by U. S. Senator Blair Moody, lumberjack contests, performing ponies, outboard motor races, and a centennial drama "Petoskey, Queen of the North." Local clubs entertained with centennial teas, performed centennial good deeds such as contributing boxes of home-made candy to the Gaylord Sanitarium; stores decorated their windows with historical displays.

The public schools contributed by writing *Many Moons*, a cooperative writing adventure including pupils from the first grade through the twelfth. The book is profusely illustrated, contains a bibliography and map of the geological formations, charts showing the changes in boundaries of the county, and gives information about people and industries of Petoskey. It was typed by the girls of the school for offset printing, which was done at the shop of the *Northern Michigan Review*.

The Memorial Services on Sunday in honor of Andrew Porter, the founder of the city, included in attendance five of his grandchildren. The dedication of Pioneer Park included Princess Ella Petoskey.

Visitors were offered a conducted tour of the lime kiln and Kegomic. Organizations took advantage of the celebration and found beautiful scenic drives open for their pleasure. The Historical Society of Michigan held its annual meeting at Petoskey in September.

THE MARINE HISTORICAL SOCIETY OF DETROIT reelected John E. Poole, president; Robert A. Zeleznik, secretary; and Kenneth E. Smith, treasurer. John C. Goodrich is the new vice president. The society began its ninth year with the September 6 meeting, which was scheduled as a picnic meeting at Amherstburg. A forty-eight page illustrated booklet entitled *Ships That Never Die* has just been completed under the sponsorship of the publications committee consisting of Rev. Edward J. Dowling, S.J., Thomas B. Dancey, and Scott B. Worden, Jr.

THE GENERAL AUDIENCE, AS WELL AS TEACHERS, should be interested in a series of historical programs presented by the University of Michigan broadcasting service for use in classrooms. Eleven programs make up the fall semester schedule under the title *A Name to Remember*. In the field of discovery and exploration the characters discussed are: Etienne Brûlé, Madame Therese Cadillac, Robert Cavelier de La Salle, Douglass Houghton, and William A. Burt. Four persons are grouped under military affairs: Alexander Henry, Major Henry Gladwin, Major Robert Rogers, and "Mad Anthony" Wayne. Two programs on Indian lore and history complete the series. They are: Jean Nicolet and Chief Pontiac. A manual containing details about these programs and a guide to the use of audio aids is available to teachers upon request.

First prize of the Whittaker History Award for 1952 at Wayne University was received by Andrew Renfrew, a graduate student, for his "Copperhead and Confederate Conspiracies on the Detroit-Canadian Border." Second award went to Thomas Wolff for his paper on "History of the Office of Civilian Defense in Detroit in

World War II." The Whittaker History Award was established in 1947 at Wayne University by Dr. Alfred H. Whittaker, former president of the Detroit Historical Society, and a former trustee of the Historical Society of Michigan.

Junior Cues, the junior newsletter of the Historical Society of Northwestern Ohio, in its May, 1952 issue pays tribute to the Monroe Junior Historical Society and to Mrs. Mildred McMichael (a new trustee of the state society elected this fall at Petoskey) in the following words:

This group from Monroe, Michigan High School, under the guidance of Mrs. Mildred McMichael has done such fine work that it inspired the Historical Society of Northwestern Ohio to begin printing *Junior Cues* for you. In a sense the Monroe Society has sort of "mothered" the new Lucas County venture—which is as it should be, for Monroe County itself is the "mother county" of the Maumee Valley. Before the "Toledo War" (see *Canal Days*, 24) most of the Valley was considered part of Monroe County, deeds were recorded in the Monroe Courthouse. After the "War" we became a part of the state of Ohio.

THE AMERICAN PLAYGROUND DEVICE COMPANY of Anderson, Indiana, has purchased a whole town of Michigan—Nahma. It plans to preserve its historic past in the big red barn to be used as the Nahma Historical Museum. Included in the purchase of the town was the historic logging railroad of the Bay de Noquet Lumber Company, the Nahma & Northern Railway. This will be utilized as an attraction for the railway fans. The barn which once housed 58 horses and 125 tons of hay will now display canthooks, peavies, logging sleighs and other old-time logging equipment and other relics of Nahma's early days. Nahma is located midway between Escanaba and Manistique. It is at the highway 13 gateway to the Hiawatha National Forest, an area of woods, lakes, and streams teeming with fish, deer, birds and other wildlife. The company's plans call for the construction of a modern motel, improvement of the golf course on the scenic shores of Big Bay de Noc, and the transformation of the three large sawmill ponds into lagoons where boating and other aquatic sports would be staged. The Sturgeon River (Nahma is the Indian word for Sturgeon) will be improved as a canoe trail. A town that for seventy years revolved around the sawmill until the timber supply ran out last July is now entering another epoch.

Contributors

Dr. Clark F. Norton since receiving his doctorate degree from the University of Michigan has been a consistent contributor to *Michigan History* with articles relating to the Michigan Supreme Court. He also has contributed to *Papers of the Michigan Academy of Science, Arts and Letters*, and *Michigan Law Review*.

William G. Rector received the doctor of philosophy degree from the University of Minnesota in 1951, his thesis being entitled: "The Development of Log Transportation in the Lake States Lumber Industry, 1840-1918." He has seen five years of army life and at present is instructor of history at Southern State Teachers College, Springfield, South Dakota.

Carroll P. Lahman, Ph. D., is professor of speech at Pasadena College, Pasadena, California. A graduate of Oberlin College, from 1922 to 1940 he was director of men's forensics at Western Michigan College of Education at Kalamazoo, and from 1940 to 1947 was chairman of the department of speech at Albion College.

G. Robert Anderson, M. A., graduated from Albion College with Phi Beta Kappa honors in 1947. He has completed residence requirements for his Ph. D. at the University of Southern California and is now special courses instructor at the Lockheed Aircraft Corporation at Burbank, California.

Robert O. Weiss, M. A., graduated from Albion College as a member of Phi Beta Kappa in 1948. From 1949 to 1951 he was instructor in speech and assistant director of forensics at Wayne University. He is now graduate assistant in speech at Northwestern University.

Dr. Douglas Dunham received his master's and doctorate degrees from the University of Michigan after completing his undergraduate work at Yankton, South Dakota. He saw three years army service in the Caribbean area and at present is assistant professor of social science and history at Michigan State College.

Emil Lorch has been since 1940 professor emeritus of architecture at the University of Michigan, is chairman of the committee on architecture of the Historical Society of Michigan, and is a member of the committee for the preservation of historical buildings of the (national) American Institute of Architects.

Dr. John I. Kolehmainen on leave from Heidelberg College is acting chief of the Finnish Service of Voice of America. In 1947 he published *The Finns in America: A Bibliographic Guide to Their History* which was reviewed in the December, 1948 issue of *Michigan History*. In 1951 appeared *Haven in the Woods: The Story of the Finns in Wisconsin*, co-authored by him and George W. Hill. This book was reviewed in the December, 1951 issue of *Michigan History*.

Alexis A. Praus has been director of the Kalamazoo Public Museum since 1946 and his interest in state and local history is reflected in the museum's historical activities. He is the author of several articles on archaeology and primitive technology based on archaeological field excavations conducted for the Yale Peabody Museum of New Haven, Connecticut.

Mrs. Carroll Paul's background includes two years of art in Paris, a degree in architecture from the Massachusetts Institute of Technology, work in a New York decorator's office before her marriage to a Naval officer, and some twelve years of living under military conditions in Guam, the Philippines, and the United States. She was born in the Upper Peninsula and for the last six years has been acting as curator of the collections gathered by the Marquette County Historical Society.

Ivor D. Spencer, a native New Englander, came to Kalamazoo College in 1946. He is professor of history and head of the department. He received his doctorate from Brown University.

STATEMENT OF THE OWNERSHIP, MANAGEMENT,
CIRCULATION, ETC., REQUIRED BY THE ACTS OF
CONGRESS OF AUGUST 24, 1912, MARCH 3, 1933, AND
JULY 2, 1946.

Of Michigan History magazine published quarterly at Lansing, Michigan, for September, 1952. State of Michigan, County of Ingham, ss.

Before me, a notary public, in and for the state and county aforesaid, personally appeared Lewis Beeson, who, having been duly sworn according to law, deposes and says that he is the editor of the Michigan History magazine and that the following is, to the best of his knowledge and belief, a true statement of the ownership, management, etc., of the aforesaid publication for the date shown in the above caption, required by the Act of August 24, 1912, as amended by the Acts of March 3, 1933 and July 2, 1946, embodied in section 537, Postal Laws and Regulations, printed on the reverse of this form, to-wit:

1. That the names and addresses of the publisher and editor are: publisher, Michigan Historical Commission, Lansing, Michigan; editor, Lewis Beeson, Lansing, Michigan; managing editors and business managers, none.
2. That the owner is: the Michigan Historical Commission, Lansing, Michigan; Mrs. Donald E. Adams, president, Pontiac; Chester W. Ellison, vice president, Lansing; Lewis Beeson, secretary, Lansing. No stock.
3. That the known bondholders, mortgagees, and the other security holders owning or holding one per cent or more of total amount of bonds, mortgages, or other securities are: none.

Lewis Beeson, *Editor.*

Sworn to and subscribed before me this 23rd day of October, 1952.

Antonia Stefanac, *Notary Public,*
My commission expires December 7, 1953.

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Errata

- page 261, line 14, for *Charles Thiebault* read *François X. Thibault*
- page 433, line 18, for *James D. Pierce* read *John D. Pierce*
- page 308, line 17, for *Pocklington* read *Pocklington*

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Michigan History



MARCH 1952

MICHIGAN HISTORICAL COMMISSION

MICHIGAN HISTORY

LEWIS BEESON, *Editor*

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